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THE

SPEECHES

OF THE

RIGHT HONOURABLE

GEORGE CANNING.

WITH A

MEMOIR OF HIS LIFE.

BY R. THERRY, ESQ.

OF GRAY'S INN, BARRISTER AT LAW.

IN SIX VOLUMES.

VOL. V.

"He had ambition to prevail in great things. He had, likewise, honour, which hath three things in it: the vantage ground to do good,—the approach to kings and principal persons,—and the raising of a man's own fortune."

BACON.

LONDON:

JAMES RIDGWAY, 169, PICCADILLY.

MDCCCXXVIII.

SHACKELL AND BAYLIS, JOHNSON'S-COURT.

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ERRATUM.

Page, 54, last line, for " hear," read " *fear*."

SPEECHES,

&c. &c.

LORD LIEUTENANT OF IRELAND.

JANUARY 25th, 1823.

Mr. Hume moved, "That an humble Address be presented to His Majesty, praying that he would be graciously pleased to appoint a Commission to inquire whether the Government of Ireland, under its present form, ought to be continued, or whether the Lord Lieutenant and other officers may not, with advantage, be dispensed with."

Mr. Secretary Canning* said, that the opinion which he had formed upon this subject before the debate had commenced, was fortified beyond all measure by what he had since heard. Although the testimony was conflicting upon the subject, the conclusion from general principles was so obvious, that he thought it could not be mistaken. Let the House suppose that a few years had passed since this measure of removing the Government from Ireland had been adopted. The Secretary of State would, of necessity, be ignorant of all those local peculiarities which, under the present system, were so accurately detailed. He could not conceive any thing more extraordinary than that

the House should consent to strike away all those advantages which were derived from the presence of Ministers who had served an apprenticeship to the Irish Government. But the motion before the House afforded in itself the best proof of the value of local information, for it was proposed to send a commission to Ireland to collect that local information before the House should decide. It was not ventured even to lay the foundation for that absent form of government which was to be recommended, until such information should be obtained. If this then were to go on, commissions must of necessity be appointed as often as it was necessary to procure information; and instead of collecting it without shock or confusion, the House must send commissions, each with power equal to that of a Lord Lieutenant, to collect and bring home particulars which they were certain must be procured during a perturbed state of the public mind. That information was best gathered and laid by for future use during the ordinary current of events, and not by fits and snatches, as often as separate events required separate inquiries. But the chief objection to the measure was, that its effect would inevitably be, that if the Executive Government were removed, the practical power would be thrown into the hands of parties. Two generations of English Ministries, however short, would not have passed, before the person holding the office of Secretary of State would find himself obliged to pin his faith upon some individual or some connection in Ireland; and all those evil consequences must ensue, to correct which the power of England had been exerted. The table of the House would be covered with petitions, complaining that, owing to the distance of the Executive Government, no Minister, however well intentioned, could possess sufficient information for the due administration of justice. He could not lay out of the question that, in the

present temper and condition of Ireland, the loss of the sum of £100,000 a year, and all that grew out of the expenditure of the court, would be a considerable evil to the people of that country, whether the chasm which it would make in their commerce, or the effect it might have upon their feelings were regarded. He could not but think that this would be breaking the last link which bound the two countries together, and adding to sore feelings and distress, at a moment when those feelings were sufficiently irritated, and that distress sufficiently severe. On these grounds, he not only decided against any change in the Government of Ireland, but against any inquiry which should seem to imply that Parliament meditated such a change—a measure than which he thought nothing could be, in the present state of that country, more mischievous.

The motion was negatived without a division.

NEGOCIATIONS RELATIVE TO SPAIN.

APRIL 14th, 1823.

Mr. Secretary Canning appeared at the bar. Being called on by the Speaker, he said he held in his hand papers which he was commanded by His Majesty to present to the House. The said papers being accordingly brought up—

Mr. Secretary Canning* rose. He said, that in moving that their titles be read, he should, with the per-

mission of the House, take advantage of the opportunity afforded by that formal motion, to redeem the pledge which he had given some weeks ago, by stating succinctly the course of conduct which had been pursued by His Majesty's Government, and the principles by which that conduct had been guided, in the important and complicated transactions to which the documents referred. In doing so, he felt that he was discharging a duty as awfully important as could at any time devolve upon the servant of a great monarchy and the minister of a free people. He was to account to the representatives of that people for the manner in which the honour of the Crown had been upheld, and the interests of the country consulted, in a crisis of perhaps unexampled difficulty, and of which the consequences were yet unascertained. He mentioned this last consideration, because it was impossible not to be sensible how much it added to the arduous nature of the task imposed upon him. If, indeed, the complete issue of all that had been recently passing had been known, it would be necessary only to shape the explanation and defence to that issue so ascertained; but he felt that the present state of the affairs of the world was of such unexampled magnitude and difficulty, that what had been the course of conduct pursued by the British Government, would be judged not only in reference to any definite issue, but in reference to all imaginable possibilities, and to all anticipated dangers. In a case so complicated, and dealing with considerations so important, there could exist but one consciousness to sustain any man in the onerous situation in which he was placed —it was that of having pursued, throughout the whole series of transactions, one intelligible object—one invariable principle. The object which the King's Government had constantly in view, was the preservation of the peace of the world; the principle by which they had been

guided in the pursuit of that object, had been clearly stated on a former day by an honourable and learned friend (Sir J. Mackintosh) whom he was grieved not to see on the benches opposite. He meant, respect for the faith of treaties—respect for the independence of nations—respect for that established line of policy known by the name of "the balance of power," in Europe—and last, but not least, respect for the honour and interests of this country.

Before he proceeded to the narrative of the course of these transactions, he would take the liberty shortly to recall the recollection of the House to what was the state of Europe, and of this kingdom in relation to it, in the month of September last, when those transactions originated. There was at that date pending a meeting of the sovereigns of Europe, or rather a meeting of some of the leading sovereigns of Europe, such as had occurred on two or three previous occasions, to consult generally on their affairs, and specifically on the preservation of peace. About that time he had the honour of receiving the seals of the office he now filled. It was not with the intention of separating himself in any degree from those who preceded him in it, nor with the desire of claiming to himself any merit that belonged to them, that he now felt himself called upon to repeat what he had stated on a former day, and what had been much misunderstood—narrowed by some, and extended by others—that, applicable to the considerations on which the Congress was to be employed, he had found in the records of his office (and it was also in the records of the country, and known to all the world) a state paper, laying down the principle of non-interference, with all the qualifications properly belonging to it. When, therefore, with whatever degree of courtesy, it had been ascribed to him, that he had applied new principles to a new case, he had thought it but just to remind the House

of a fact, of which it was indeed already in possession. The principle of non-interference with the independence of foreign states, was laid down in the document to which he alluded, as broadly, clearly, and definitively as it was possible for any statesman to wish to lay it down.

Having said thus much, he should perhaps surprise the House, when he stated, that in going to the Congress of Verona, it was not in contemplation that that question which turned out to be the most important topic agitated at that meeting—he meant the case of Spain—would be the immediate object of the assembly. So much so that the House would find among the papers now submitted, that the very first number, being a despatch from the Duke of Wellington, on his arrival at Paris, showed that His Grace had been under the necessity of asking for instructions respecting the case of Spain. The matter of which it was expected that the Congress would take cognizance, and to which the preparation of instructions had been particularly directed, was, the state of affairs in the east of Europe, and the complicated transactions between Russia and Turkey. It was only on his arrival in Paris, that the Duke of Wellington found that the affairs of Spain were likely to occupy a most important place in the deliberations of the Congress at Verona. He accordingly, as had been mentioned, applied to him (Mr. Canning) for specific instructions on this point; and in reference to them he would in this, and only in one other instance, refer to the papers about to be laid upon the table. The requisition of the Duke of Wellington—(who left London, as far as he (Mr. C.) recollected, within about forty-eight hours after he had accepted the seals of the foreign office)—was dated from Paris on the 21st of September, and the instructions transmitted in consequence were in the following terms:—

"If there be a determined project to interfere by force

or by menace in the present struggle in Spain, so convinced are His Majesty's Government of the uselessness and danger of any such interference, so objectionable does it appear to them in principle, as well as utterly impracticable in execution, that when the necessity arises, or (I would rather say) when the opportunity offers, I am to instruct your grace at once frankly and peremptorily to declare, that to any such interference, come what may, His Majesty will not be a party." With such instructions the Duke of Wellington left Paris for Verona. The House would see that the instructions did not go into much detail, nor did they admit any qualification; they were positive and peremptory; and from them the Duke of Wellington for one moment had never swerved. In making this statement, he incidentally met an objection that had been put with great force as well as ingenuity, by an honourable gentleman opposite (Mr. Hobhouse) on a former night; viz. that if England went to Congress with a view to discuss the affairs of Spain, England ought to have taken care that Spain was a party to that Congress. The honourable gentleman and the House would, however, see that England went, in the first instance, with no expectation that a prominent part in the deliberations would belong to the affairs of Spain. From the moment it was known that they would be so brought forward, the course of instruction to the British Plenipotentiary, had been distinct, positive, and peremptory, not to be a party to any discussions, or rather to the issue of any discussions, if that issue were hostile measures against Spain. So far was the British Government from any expectation that a proposition of a nature hostile to Spain, would be made by France, that there was every previous reason for believing that France would be the last quarter from which it would come. It was not among the documents to be laid on the table, nor was it of a sort that it could be

laid there; but it was in the memory of every body—it was among the papers published all over Europe—and was therefore a matter *publici juris*, that the King of France, on the 5th June 1822, declared, in allusion to the force he had stationed on his Pyrenean frontier, that the precaution thus adopted had kept contagion from his provinces, although it had ravaged a great part of Spain; that, with the same object only, he meant to maintain the forces he had stationed; and that nothing but *malveillance*—nothing but ill-will and calumny—could find a pretext for giving this precautionary measure a different purpose. Such, undoubtedly, was the distinct statement in the last document France had issued with relation to the affairs of Spain; and he mentioned it now, not with a view of inculpation, or for the sake of drawing inferences of an unfavourable nature, but to account for the fact that the instructions of the British Government were not, in the first instance, framed with a view to meet hostile propositions with respect to Spain, on the part of the French Government.

It was but just to state, that when the Congress of Verona met, and when the propositions of the French Government regarding Spain were brought forward, they were not directed to a hostile object—they were in their nature purely defensive, conditional, and hypothetical. They did not then call for the assistance of the allies to bring half Europe into the field against Spain: the French Plenipotentiary contented himself with asking merely, what would be the conduct of the allies in given cases, all which cases presupposed some active offence, in the first instance, on the part of Spain. To these propositions, or, more correctly speaking, to these inquiries, answers were given on the part of three of the continental powers, professing their readiness to countenance, and, if necessary, to support France in the specified cases, contingent and precautionary,

but not in their nature offensive. But to these propositions, however limited, the British Plenipotentiary gave no such answer: in the replies of the three other states, however cautious and conditional, he did not concur. He said that he was precluded from entering into any hypothetical engagement which might commit his country, in cases unforeseen, and to an extent not to be calculated. He demanded, before he was called upon to give even a hypothetical concurrence to a hypothetical promise, in a hypothetical case, that he should be informed, distinctly and practically, what offence Spain had actually given to France, and what were the grounds of future offence anticipated by France. He absolutely refused to give the smallest countenance to the imagination of a case, on which, should it occur, he might be called upon to pledge his Government to eventual co-operation and concert. The Congress of Verona, during the weeks of its sitting, discussed the question in all its bearings; but the language of the Duke of Wellington had been the same on the last day of meeting as on the first—a positive refusal to concur in any such measure—a positive refusal to give any answer to the inquiries of France—a positive refusal to have any thing to do with interference, by force or menace, in the internal affairs of Spain. When, at the conclusion of the Congress, the three great continental powers had agreed with France to transmit to their Ministers at Madrid, several despatches, remonstrating with Spain on the state of her institutions, and calling for changes in them, as the price of their continued friendship and forbearance, the British Plenipotentiary declined any participation in that proceeding, and declared, on the part of his Sovereign, that all he could do would be to continue his Minister at Madrid when the others were withdrawn, in the hope of abating the irritation such a

hostile measure must occasion, and of preventing the evil by friendly counsel and assistance.

So broke up the Congress at Verona. The Plenipotentiary of France left it to return to Paris, to consider what step his Government would take more in advance than the rest of the continental allies: the Plenipotentiaries of the continental allies, to prepare their despatches for Madrid, which would not form a part of the papers upon the table, because they were not at all within the jurisdiction of this country, although they were well known, having been printed in all the Gazettes of Europe: the British Plenipotentiary, to renew at Paris the remonstrances he had ineffectually made at Verona, and, in the last resort, to report to his Government his disappointment, if disappointment it should be, in order that to the Minister at Madrid instructions might be sent to disavow, on the part of this country, any participation in these proceedings; but at the same time to advise, and strenuously implore, that the slightest excess might be studiously avoided, which could retrospectively justify, or prospectively encourage, the war threatened by France. The Duke of Wellington returned to Paris about the beginning of December. The French Government, far from being found in a more warlike disposition, were, on the contrary, whether on reconsideration or from what other motive did not belong to him to speculate, inclined to maintain peace. The British Plenipotentiary found the French Ministry disposed to send back to Verona, at least to the sovereigns who had not then actually quitted that city, the despatches prepared for Madrid, and to entreat them to reconsider the contents of those despatches, and the impropriety of the time for sending them. Such was the first report received from the Duke of Wellington. Up to this period, no communication whatever had taken place between

this country and Spain, on the subject of what was passing at Verona; and he would shortly explain to the House why no such intercourse had occurred. Honourable gentlemen might remember, that towards the end of the last session of Parliament the clamour, the just clamour, and complaint in this country had been raised, respecting the state of our commercial navigation in the West Indies. Pirate vessels, some bearing the flag of the independent but unacknowledged colonies of Spain, and others of Spain herself, had committed the most grievous depredations on British trade, to an enormous amount, and attended with circumstances of such violence and cruelty, as to call for national interposition. He (Mr. Canning) recollected these matters well; because it had been his duty, as the representative of a great commercial town, to bring forward the case in that House, and to remonstrate against what was considered the supineness, or at least the forbearance, with which the strength of this country had been withheld from the assertion of its own rights and interests; those rights having been shamefully abused, and those interests seriously injured. Not long, therefore, after Parliament rose, it had been thought necessary by the British Government to send orders, and therewith an armament, to the West Indies, to take into our own hands that redress which had been in vain sought by representation and remonstrance at Madrid. Orders were given to the commander, in the event of the owners of pirate vessels continuing to find refuge on the shores of Cuba, that, after first communicating with the Spanish governor of the island, and asking his assistance—if assistance he could give—then, conjointly, or, upon his refusal, separately, to effect a landing in Cuba, to root out the nest of marauders that infested those seas and impeded our commerce and navigation. In giving these orders, and in taking this step, he hoped it was unnecessary to say, that

the British Government had thought right to communicate the course it had pursued to the Cabinet at Madrid. But this was not all. About the same time, pretensions were revived by commanders on the Spanish Main, pretensions utterly obsolete, waved, and forgotten, for many years, to declare constructive blockades of the whole coast of what was Spanish America, and to capture all trading vessels that should presume to violate these blockades. Many instances, recent and flagrant, had occurred, in which the laws of these blockades had been rigorously carried into execution, and outrages of the same sort had been continued, more or less, for many preceding years. Almost from the year 1815, there had been a series of unanswered representations of unredressed grievance prefered to the Court of Madrid, which it was at length thought expedient, avoiding if possible angry discussion, to bring directly to a point. That justice was on the side of the British complaints might be inferred from the circumstance, that, after negociation, redress was finally accorded; and that the amount of the grievance was not small, might be gathered from the sum the Spanish Government itself appropriated to the liquidation of the claim, being about half a million sterling. This did not amount to the whole of the demand; but it showed, at least, the estimate of Spain as to what might turn out to be just. The business on which Sir W. A'Court, our Minister at Madrid, was first employed there was in the making these remonstrances, and in urging—successfully urging—the redress it was necessary to afford. He was to communicate to the Spanish Government, first, the instructions with regard to Cuba; and, secondly, the further fact, that the armament had been sent to the West Indies, with orders to make reprisals if our maritime rights should not be observed. Redress was promised on the part of Spain, and instructions were accordingly sent out to Sir John Owen.

Remonstrance having been once made, redress once claimed, and satisfaction accorded, no hostile feeling could possibly remain on the part of this country. But the House would see, that it was not in the midst of negociations like these that it would have been either delicate or proper towards Spain to have entered into discussions, or rather to have made declarations, of the part Great Britain was taking on behalf of European Spain. This country had pursued two courses of action: on the one hand, it had claimed of Spain redress for injuries inflicted by her South American colonies; and on the other, she had defended Spain against an invasion by European powers. The British Government well knew that a time must come when a disclosure of the latter course might be made to the ministry at Madrid; and by a coincidence in point of time, it was at the close of the Congress at Verona that our negociations for redress had been brought to a favourable conclusion.

He would now take the liberty of drawing the attention of the House to one particular circumstance. He had seen in various quarters, and had heard from different persons, that some offence had been given to Spain by sending Sir W. A'Court to represent His Majesty at Madrid. It happened, whimsically enough, that about the time when Sir W. A'Court's name was thus brought forward with obloquy in this country—not about the time he set off for Madrid, for he had proceeded thither long before his (Mr. C.'s) appointment, and he had nothing more than the slightest personal acquaintance with him—about the time when Sir W. A'Court's appointment to Spain was represented as the greatest grievance to that country, the Ministers of the three allied powers called upon him (Mr. Canning) in Downing-street, to make representations against sending him out, as giving countenance to Spain. It was somewhat difficult to steer between these two diffi-

culties; but the answer to the Ministers was very short and simple—that Sir W. A'Court was gone—that there he was, and there he must remain. Undoubtedly, he could well believe, that the course of negociation in which Sir W. A'Court was first employed—that of an obdurate and pressing creditor, calling up obsolete demands, and enforcing a speedy settlement—could not tend to make him very popular with the Spanish Government, which was every day suffering under his applications; while that Government was not yet aware of the course Great Britain had pursued in the European negociations. It might be very readily imagined that Sir W. A'Court might have made an impression in the Spanish capital, unfavourable to his official, but not to his personal character. As soon as the general understanding, that no interference in the affairs of Spain should take place, was abandoned—as soon, in short, as it was clear, that the issue of the negociations at Verona must become publicly known—so soon communication was made to Madrid of the line this country had pursued in those negociations. It was then unequivocally shown, that while Sir W. A'Court had been employed in this obdurate and unpopular character, the British Government, through their Plenipotentiary at Verona, had been anxiously engaged in securing the national independence of Spain. From that time, the feeling with respect to Sir W. A'Court, at Madrid, was completely changed. Before this disclosure of the discussions at Verona was made to Spain—while she was yet uncertain what steps had been taken at Congress—an application was made on the part of the Spanish Government—first, to ascertain what the precise course of negociations had been; and next, to interest this country to employ her good offices for the maintenance of peace. In making this application, which, being in writing, formed part of the papers on the table, pains were dis-

tinctly taken to make it appear that the good offices she asked were not inconsistent with the most strictly conceived system of neutrality. She asked counsel and mediation—that Great Britain should offer her advice to one friend on behalf of another. Spain required no proceeding that could trench upon our neutrality, but rather such a course as would entitle the power intervening to the thanks of France, as well as to the gratitude of Spain.

Upon receiving this application, his Majesty's Government hesitated not a moment to write to the Duke of Wellington, then expected at Paris, and to direct His Grace to offer to the French Government the mediation of Great Britain for the amicable settlement of the disputes with Spain. The French Government, after some negociation, declined the offer thus made; stating, as the reason, that the grounds of difference between France and Spain were not grounds of that distinct and definite kind, that admitted of exact specification and practical adjustment—that they grew out of the state of things in which the two kingdoms found themselves, and out of the influence which what was passing in Spain had upon the internal tranquillity of His Most Christian Majesty's dominions: that the two nations had, in fact, got into such a condition towards each other of reciprocal jealousy and irritation, that, rather than submit to all the inconveniences of such a situation, war would be the preferable alternative, as affording at least some ultimate solution. It seemed to the British Government that the position of affairs admitted of a reciprocation of good offices: and both at Madrid and Paris, a course of interposition would have been pursued which might have rendered war unnecessary. He (Mr. C.) admitted, that here was a case in which it might have been quite usual to say to both parties, that without something more specific on either side, some sensible and tangible

cause of complaint—some exact claim of redress on the part of the country supposed to be aggrieved—it would be better for Great Britain not to interfere; that she had done all that she thought she could do with each party: and that, as her efforts had been attended hitherto with no success, she begged leave to withdraw from further interposition. Such a course was quite open to the British Government: but, as every thing that was stated on both sides was accompanied with the most solemn assurance of a pacific disposition; and as the British ministry did entertain—what from that moment to the present it had never ceased to feel—an alarm beyond any former occasion of the danger of war, not only to Spain, but to France, and through France to Europe, it became a question very material to be debated, whether, while there remained the slightest chance of success, it was not our duty to make a further effort, being the only power through whom it was possible that the effort should be made.

It was, therefore, determined to ascertain what might yet be done: and there was this advantage in the present situation of affairs, as compared with the state of Europe at the opening of the Congress of Verona—that questions were now reduced to the differences between France and Spain. The despatches from the three continental powers had been sent, and their Ministers had been withdrawn: the cases foreseen at Verona, in which alone the powers were bound to interpose on behalf of France, had none of them occurred. It was a matter, therefore, merely between France and Spain: and it was for this country to decide, whether it would or would not take a step which might prevent the occurrence of war, but which could not widen the breach and increase the danger. Under these circumstances, His Majesty's Ministers determined to interpose their good offices on behalf of Spain: and their anxiety, in so inter-

posing, was to distinguish their conduct, not only from that which the continental powers in their several despatches had displayed towards Spain—not only from that which France, in the speech of her Minister, had likewise delared her determination to pursue; but to distinguish it also, by the channel through which it was made, from every species of interference that was not made upon the most friendly terms. The channel through which it was made was the Duke of Wellington. That illustrious individual—if ever man did earn it from a foreign state—had earned from Spain the right to be considered as her friend. For years he had sustained her liberties in the field, and ultimately had rendered them triumphant over every difficulty. In his diplomatic character, too, he had recently asserted the same principles in her behalf, which he had formerly had occasion to vindicate for her in the field; and that independence, which he had once conquered for her by his sword, he had latterly endeavoured to preserve to her by his negociations. If ever there was an individual that was entitled to deliver his opinions to a foreign nation, without any suspicion being entertained of the purity of his motives, it was the individual who had performed such services, and who in consequence had been incorporated as well by gratitude as adoption among the benefactors of the Spanish nation. The opinions which that distinguished character offered to the consideration of the Spaniards, were opinions which his private friends were aware that he had long entertained; and they were offered to them in a way that took from them every appearance of arrogance and insult. It was through the medium of a confidential friend, who had formerly been his companion in arms in the Peninsula, and afterwards his assistant in the deliberations at Verona, that the opinions of the Duke of Wellington were stated in Madrid in terms which, though they were not put

together with all the finesse of diplomacy, still expressed his meaning in the most frank and explicit manner. It was after Spain had asked for the interference of the British Government, and had obtained it on the express stipulation that its interposition was not to be considered as inconsistent with the most strict neutrality—it was after France had stated that it was through the good offices of the British Government that she looked for any thing like an accommodation of her differences with Spain—it was whilst the British Government entertained a sincere belief that its interference would lead to a pacific and not to a hostile issue—it was under such circumstances that the Duke of Wellington, not declaring either this or that mode of conciliation to be the price at which the friendship of England was to be purchased, but echoing, as he supposed, the opinions of a great majority of the Spanish nation, addressed himself, through the medium of Lord Fitzroy Somerset, his confidential friend, to those who swayed the destinies of Spain, and left them to accept or reject his advice as they in their wisdom should think proper to determine. Looking at this transaction three months after its occurrence, and with a knowledge of every thing which had since occurred, he did not know exactly how he should decide, supposing the question were now put to him whether he should try this chance again, or throw it away as undeserving of attention; but this he did know, that, supposing he had decided not to avail himself of this chance, and war had then ensued, he should have found a difficulty in justifying himself to the world for not trying one means of averting it, which, if used, might have perhaps rescued Europe from the calamities in which it was now going to be plunged, and of which no man could foresee the extent, or limit the duration.

Having made these observations, he would now proceed

with his details. Lord Fitzroy Somerset quitted this country as the bearer of a confidential communication to the Spanish Government from the Duke of Wellington, about the first week in January. Before he proceeded farther, he wished to remind the House that the application which was made from Spain for the interference of the British Government was made early in the month of November; that the offer of our mediation, which was made to France in the month of September, was not finally rejected till some time in the ensuing November; and that a correspondence of some length took place upon the subject, into the particulars of which he should not then enter, for this plain reason—that the whole of them were to be found in the papers which he was directed by His Majesty to lay upon the table of the House. He must now proceed to state, that not many weeks after Lord Fitzroy Somerset had set out for Spain, an event occurred, which, he must confess, shook very strongly his hopes of bringing about any accommodation between the Governments of France and of Spain—he alluded to the extraordinary speech with which the French Ministers thought proper to open the chambers. Of the construction to which the words of that speech were liable, and which indeed they most naturally bore, there was not a man in the House who thought with more disgust and abhorrence than he did. If that speech were to be understood as the plain meaning of the words in which it was couched naturally suggested, namely, that the Spanish people were to be called upon to consent to certain modifications in their Constitution—not because it was faulty in itself—not because it contained particulars which rendered it dangerous to neighbouring states, and unsafe even to the prince who ruled by it, but because it was not an emanation from the Crown. It was clear, on the one hand, that no Spaniard who had the slightest regard to the indepen-

dence of his country could consent either to modify or to hear a modification proposed of that Constitution; and, on the other, that no British statesman who valued his character as a member of a free state, could either think or hear of his country being made a party to negociations for the purpose of discussing such monstrous proposals. Not a week, no, not even a day was lost in conveying to France the expression of these sentiments on the part of the British Government; and in telling her that if such was the meaning of the speech in question, there was an end to all further negociations, at least through a British channel—that British intervention must be considered as closed—that the principle avowed was one which a British statesman could not acknowledge—that it struck directly at the root of the British Constitution—and that as it could not be accepted as part of the British code of law, it could not be recommended by a British statesman to the acceptance of any other. The Ministers of France were likewise told, as Great Britain did not put forward her own political institutions as the model on which those of other states were to be framed, or as the only system from which national freedom and happiness could flow, so neither could she allow France to make her own example a rule for other nations, much less to force that example upon Spain, in virtue of the consanguinity of the reigning dynasties of the two countries. It was, however, added, that if this construction were disavowed, the negociations might still continue. The French Government, it was only right to state, did subsequently disavow this obnoxious construction, and adopted another, which, he was free to confess, the words were not altogether qualified to bear. The negociations in consequence proceeded; and it was at this period that Ministers, when interrogated on the subject in Parliament, had felt themselves bound to declare that they had consi-

derable hopes of bringing them to a successful termination; for, however extraordinary it might appear, it was nevertheless strictly true, that when the speech of the King of France was communicated to him (Mr. C.) by the French Chargé d'Affaires in this country, it was accompanied by a more profuse communication of the desires of the French Government for accommodation, and by a more profuse declaration of their wishes for the good services of the British Government in producing that accommodation, than had ever been made at any previous stage of the transactions. It was not surprising that the effect which the French Government had anticipated had been produced upon the British Government by the communications which they then made to it; but it was surprising that the French Government, by some strange and unaccountable delusion, and in spite of all the remonstrances which His Majesty's Ministers had made to them on the subject, should have ever thought, and indeed should still continue to think, that in publishing the document which they had done, they had hit a chord which could not fail to vibrate at Madrid; and that they had put forward a speeific which could not fail to cure all the evils which prevailed within its meridian. The thing itself was so strange and singular, that the House would be inclined to think it either a fable or an invention of his own, if the proofs of it were not to be found in the papers which he was now ordered to submit to the House.

He must now state to the House, that while these communications were passing between Paris and Madrid, a new application was received from the Spanish Government (which the House would find in the papers), calling for a more active employment of the good services of this country, in producing an accommodation with France. If His Majesty's Ministers had previously entertained any doubt

of the line of conduct which they ought to pursue, that application would have decided them; for, under such circumstances, had they declined to continue their interposition, they would have appeared to be setting their own private feelings in opposition to the judgment of those who still thought their interposition worth having. The interposition was therefore continued; but from that time forth the British Government took no active part in the transactions. No second instructions were sent out to Lord Fitzroy Somerset, who, in consequence left Madrid. Sir W. A'Court being three days nearer to Paris, and the duplication of three days in the conveyance and return of the correspondence causing the delay of a week, was left to conduct the intercourse of the two parties; and all that remained for him to do, was to state to each party the proposals and answers of the other. The result of these communications, though it was not more than might be calculated upon from the premises he had stated, was a total failure; and he took an opportunity of frankly stating that fact to the House. Nothing then remained for the British Government to do, but to state fairly to each party the line of conduct which Great Britain was determined to pursue, in a state of things so deplorable for the tranquillity of Europe, and to explain to them the course of policy which she thought most consistent with her own welfare, as well as with that of both the contending nations. He begged the House to be assured that there never had been a moment, from the beginning of our interference on behalf of Spain at the Congress of Verona, down to the time at which he was then speaking, during which the Spanish Government had been led to believe that the course of policy which Great Britain would pursue, in case a war should unfortunately break out between France and Spain, would be any other than that of strict neutrality.

No hope was ever held out to it from which an inference to the contrary could be possibly deduced. Nothing was ever said on which a doubt of the intentions of England could be suffered to hang. From the beginning to the end of these transactions, it was regularly stated to the Spanish Government that we would do all that we could in any way, and by any means, to avert a war; but that, if war should unfortunately ensue, it was not to be supposed that our anxiety to avert it was to be considered as the measure of our determination to take part in it when commenced. To France, such a declaration had not been made, and honourable members, on reading the papers, would see that it was not necessary; for though the documents which passed between the two Governments were indications that measures of hostility were contemplated by the one against the other, still, when it became necessary to speak out on the points which those documents suggested, it could not well be done without making a declaration of neutrality, if not in express words, at least in substance.

That consideration brought him to the only part of the papers which it was his intention to read to the House. It was part of a despatch which had been sent to our Ambassador at Paris, after all hopes of an amicable arrangement had ceased, to be by him communicated to M. Chateaubriand. That despatch contained an account of the negociations from their commencement to their close; and he was the more anxious that the French Government should see it, as he did not wish to make any unfair statement regarding its conduct. After giving a history of the negociations, it concluded in the following manner:—

"It remains only to describe the conduct which it is His Majesty's desire and intention to observe, in a conflict between two nations, to each of whom His Majesty is bound by the ties of amity and alliance. The repeated

disavowal by his most Christian Majesty's Government, of all views of ambition and aggrandizement, forbids the suspicion of any design on the part of France to establish a permanent military occupation of Spain, or to force His Catholic Majesty into any measures derogatory to the independence of his Crown, or to existing relations with other powers. The repeated assurances which His Majesty has received, of the determination of France to respect the dominions of his most faithful Majesty, relieve His Majesty from any apprehension of being called upon to fulfil the obligations of that intimate defensive connection which has so long subsisted between the crowns of Great Britain and Portugal. With respect to the provinces in America, which have thrown off their allegiance to the Crown of Spain, time and the course of events appear to have substantially decided their separation from the mother country, although the formal recognition of those provinces, as independent states by His Majesty, may be hastened or retarded by various external circumstances, as well as by the more or less satisfactory progress, in each state, towards a regular and settled form of government. Spain has long been apprised of His Majesty's opinions upon this subject. Disclaiming in the most solemn manner any intention of appropriating to himself the smallest portion of the late Spanish possessions in America, His Majesty is satisfied that no attempt will be made by France to bring under her dominion any of those possessions, either by conquest, or by cession from Spain. This frank explanation upon the points on which perhaps alone the possibility of any collision of France with Great Britain can be apprehended in a war between France and Spain, your Excellency will represent to M. de Chateaubriand as dictated by an earnest desire to be enabled to preserve, in that war, a strict and undeviating neutrality—a neutrality not liable to altera-

tions towards either party, so long as the honour and just interests of Great Britain are equally respected by both."

These were the only points on which it appeared to him that any danger could be apprehended for Great Britain; and on these points he had endeavoured to guard her interest as carefully and specifically as he could. He would now beg leave to say a few words with respect to the treaties which existed between this country and Portugal: and here he would take the opportunity of stating, that there never had been a single moment in which the Ministers of France had not been aware, that any attack wantonly made by them on Portugal, would bring Great Britain into the field with all her force to support the independence of her ancient and her faithful ally. He was compelled, however, to remark, that much misconception prevailed in the country upon this point: for it was not only asserted, that our connections with Portugal imposed upon us the necessity (as they certainly did) of flying to her assistance if she were attacked; but it was also asserted, that they left the question, whether Great Britain should go to war or remain at peace, entirely in the keeping of Portugal. He desired to be understood as admitting our pledge of defence to Portugal on the ground of a defensive, and not of an offensive treaty; and if there was one point more clear in the law of nations than another, it was this—that a defensive alliance between two states did not commit one of them to war, when that war was voluntarily commenced by the other. He was happy to state, that there never had been a moment in which the French Government had not declared to Portugal that it was not its intention to meddle at all with her, either in word or deed, unless Portugal attacked the armies of France. He could also inform the House, that up to this moment Portugal was not bound by any engagement to enter into the war. He was not stating what her policy was, he was

only stating her obligations; and he again repeated, that Portugal was not bound by any treaty to enter into the war which had now broken out between France and Spain. He therefore said, that if Portugal joined Spain in her endeavours to repel France from the Peninsula, there was no ground for Great Britain to put forward a single soldier in support of Portugal. He was not stating what our policy might be, but what was required of us by the faith of treaties. England was bound to protect Portugal, if Portugal were attacked, but not if Portugal attacked others. He thought it right to make this statement, because England had never yet made any arrangement, or entered into any treaty, which she had not, when called upon, fulfilled to the very letter, however arduous was the struggle into which she entered, and however great the sacrifice which she was compelled to make to procure its fulfilment; and it was on account of that rare scrupulousness in fulfilling her engagements, that it became the more necessary for her to understand precisely what the nature of those engagements was.

With regard to the independence of the Spanish colonies in America, he also wished to say a few words by way of explanation. Undoubtedly it would have been much more agreeable to him not to be called upon to give any explanation upon an event which might only be contingent. Unfortunately, however, no choice was left him at the present moment. As long as peace prevailed on the continent, and Spain had no enemy in Europe to contend with, so long it was a matter of discretion with the British Government, whether it would or would not call the attention of Spain to the undeniable fact, that she had lost all her influence in her American provinces—that all her efforts to regain it have been, and still were, useless and ineffectual; and that her wisest policy was to enter, as soon as possible, into an

accommodation with them—an accommodation founded, indeed, upon the basis of recognizing their independence, but qualified with any advantages which the mother country might think proper to stipulate, and the colonies, in return, to grant. Indeed, advice to that effect had already been given to her by this country. We had told her that we should ask of her colonies no commercial advantages, as we conceived the superiority should be reserved to her as the mother country; and all that we were inclined to demand was, that we should be placed in the same situation with other favoured nations. More than once it had been hinted to us, that our good offices between Spain and her colonies would be favourably received by the mother country. The answer which had been invariably returned to such applications was, that we were willing to interfere with our good offices, if our recognition of the independence of the colonies were not to be made determinable on the issue of the negociations. At present, however, the case was entirely changed. As Spain had now an active and powerful European enemy, it became necessary for England to declare in what light she looked upon the struggling provinces of South America: for as Spain still retained the dominion *de jure* over them, though she had lost the dominion *de facto*; as France might send forth her fleets and armies to seize and conquer them: and as, at the conclusion of the war, arrangements might be made between the two nations regarding the conquest or the cession of them, the British Government had felt itself called upon to state, that it considered the separation of the colonies from Spain to have been effected to such a degree, that it would not tolerate for an instant any cession which Spain might make of colonies over which she did not exercise a direct and positive influence. To such a declaration the British Government had at last been forced. Without staying to

examine whether it had been made prematurely or not, he would once more repeat, that to such a declaration we had at length, by necessity, been driven, and that the justice and propriety of it had not yet been disputed by either party.

He was aware, that to whatever determination the House might come regarding the conduct of His Majesty's Ministers in the late negociations, strong difference of opinion had existed, and would still continue to exist, with regard to the propriety of our observing a strict neutrality in the impending contest between France and Spain. He knew that many individuals in this country thought that the invasion of Spain by a French force ought to be considered by England as a declaration of war against herself. That opinion, he knew, was held by many persons of the first rank and the utmost respectability in the state; but of that opinion he would state, that it could not receive any support from either justice or the policy of the state. When he said that it could not receive any support from justice, he did not mean to say that such a war would be absolutely unjust on our part, but that there would be no adequate ground on which we could be called to interfere in it. War, in the responsibility of those who had to make it, ought to be well and duly weighed before it was resolved on: the cause of it should not merely be sufficient, but urgent; and not merely urgent, but absolutely consistent with the interest and welfare of the country which first declared it. In making these observations, did he cast any blame upon those who, seeing a strong and powerful nation eager to crush and overwhelm with its vengeance a less numerous but not less gallant people, were anxious to join the weaker against the stronger party? Certainly not. The feeling was highly honourable to those who entertained it. The bosoms in which it existed in full bloom and vigour,

unchastened and unalloyed by any other feeling, were much more happy, than those in which that feeling was chastened, tempered, and mitigated by the considerations of prudence, interest, and expediency. He not only knew, but he absolutely envied the feelings of those who called for war, for the issue of which they were in no wise likely to be responsible; for he would confess, that the reasoning by which the war against Spain was justified, appeared to him to be much more calculated than the war itself to excite a strong feeling against those who had projected it; and he must likewise add, with all due respect to those who defended it, that he could not understand by what process of reasoning, or by what confusion of ideas, they contrived to persuade themselves that they had made out any thing which approached even to a shadow of a case. They had been foolish enough to institute a comparison between the conduct of France at this moment, and the conduct of Great Britain in 1793. But what, he would ask, had Spain ever done that was at all analogous to the celebrated decree of the 19th of November, made by the French republicans? What country had Spain ever attempted to seize or to revolutionize? What independent state had she invaded in any manner that could be compared with the invasion of Geneva, of Savoy, and of Avignon, by France—states that had been ravaged and plundered by their invaders, before any notice of their intention was given, and before their inhabitants had even time to draw a sword in their own defence? If the whole of Europe had formerly combined against France, it was not because she had refused to amend her political institutions on the demand of foreigners, but because she had declared her resolution, in the first instance, to propagate as widely as possible her pestiferous doctrines, and had provided means, in the second, to carry them all over Europe by the terror of her armies and the power of

her sword. There was no analogy between the case of Spain and that of the French Republic; and of all the powers which ought to think of reading such a lesson to Spain, even if the analogy existed, France was the very last. France, whose oppression and tyranny had created that very Constitution in Spain, which it was now the foremost in condemning and reprobating! That France should be the first to complain of that Constitution, which was the consequence of her own unjust aggression, was the event which of all others he should have least expected! He was not therefore surprised to find that many individuals were for deterring France from her present invasion of Spain by something stronger than state papers and remonstrances.

He had heard that there were some persons who thought that though it might not be prudent to make war, it might still be prudent to menace war against France upon this account. These individuals he conceived to be guilty of an error in principle, as the country which menaced war ought always to be ready to carry those menaces into execution. There were other individuals who were guilty of an error of a different kind—he meant an error of opinion. They thought this country should immediately send forth a maritime armament to watch the events that might occur on the shores of the Peninsula. Such a course, in his humble opinion, would be unworthy a great and independent nation like our own, and would degrade it from a first to a secondary power. He did hope, that whenever it determined upon war, it would determine to wage it, not as an auxiliary, but as a principal. Such had hitherto been its policy; and on all former occasions, when it had resorted to war, it had exerted every nerve to bring it to a safe, a speedy, and an honourable conclusion. "*Toto certatum est corpore regni.*" This, he contended, was the only sound view in which war could be contemplated, and he differed entirely

from those who considered the subject in any other manner. If war were the issue, it should be a war worthy of this great country! and there was no war in which the country could be engaged at the present moment, and under the existing circumstances of Europe, that would not call forth all her power, all her strength, and all her energies. This was the alternative which they had to weigh—whether honour commanded, or interest prescribed; or, if interest were left wholly out of the question, whether a sense of justice between the two hostile parties was not sufficient to induce the British Goverment to interpose its good offices and to state what its views of policy were; and, finally, having undertaken that, as it turned out, thankless and unpleasant office with respect to both sides, there was sufficient cause to justify them in joining the injured party. These points admitted of much argument, and were mixed up with a great portion of feeling. But, whatever decision they came to, that decision ought to be a calm, a sound, and a just one; and, so far as a pretty large and a most anxious expression of public feeling had gone, it did appear that the course which had been pursued was in unison with the general sense of the country. The determination of the Government was for neutrality. And for what sort of neutrality? The House would give him leave to say, for an honest and real neutrality. Any other would be unworthy of the nation. The choice was between neutrality and war. If they meant war, let them openly choose it: but if they called for neutrality, let it not be neutrality under the mask of non-interference with one party, whilst a covert support was given to the other. If they asked him what were the lines, rules, and limits of a just neutrality, he would tell them in one word. There was a golden maxim, which applied as well to politics as it did to morals—"Do unto others as you would that others should do unto you."

But to England he would say, " Do unto others what you have made others do unto you." For a quarter of a century, this country had laid down the law of nations to the whole world; she had laid down, most clearly, the code by which neutrals were to be guided. From the learning, the acuteness, and the talents which had been employed in its formation, and from the recognized justice and purity of its principle, it stood, he believed, unquestioned throughout the world; and, if they did not question it themselves, would, he was convinced, go down to posterity as one of the greatest monuments of wisdom and integrity that had ever appeared in any age. He alluded to the code which had been compiled from the decisions of Sir William Scott.

There were two points on which His Majesty's Ministers might be questioned; first, whether it was proper that a system of neutrality should be acted on; and next, whether at the Congress of Verona, they ought not to have accepted from both parties, that undefined offer, short of mediation, and without a distinct definition of the principle on which their good offices would be received, which had then been made? The complaint of France against Spain, whether well-founded or not, was, that the disquieted state of her internal institution placed the tranquillity of France in jeopardy; and the counter-statement of Spain was, that the army of observation which France had marched to her frontier, disquieted the Spanish people. It was between these two points that they had to strike the balance, without considering whether France sinned more against Spain in calling for preliminary conciliation, or Spain sinned more against France in desiring her to withdraw her army. Under such circumstances it was impossible to negociate. This was a case of a very novel nature, differing entirely from those in which a portion of territory having been captured, or a number of ships having been seized, there were

tangible points for discussion, which could easily be adjudged. What was wanting in this instance to preserve peace was, that Spain should make some change in her Constitution (a Constitution which she had unquestionably a right to form), and that France should withdraw her army of observation. Without touching on any question involving the conduct of either party, it became a matter of inquiry, whether the British Government had not done right in exerting their power to the utmost, and endeavouring as much as they possibly could, to prevent the breaking out of hostilities. This only, he should say, that though on this point he must anticipate some difference of opinion (and that difference he did not mean to censure), still, if the question were to be discussed again, he would undoubtedly pursue the same course, and he would not incur the reproach of stimulating Spain to resistance, by promises of support which could not be realized. The promise of actual and efficient support to Spain, this country was not prepared to give; and the case Ministers had to consider was this—whether they should withdraw from the question altogether, and treat it with perfect indifference? Indifference they could never feel towards the affairs of Spain; and he earnestly hoped and trusted that she would come triumphantly out of this struggle. But he should not speak truly, if he did not say, that he was perfectly convinced, the first result of her success and pacification must be, the adoption of those alterations in her system which they had recommended. But, whether Spain or France were successful, he must ever feel a perfect conviction, in considering the extent of misery which might be occasioned by the contest, that if Spain had given way in a slight degree on the one part, and the army of observation had been withdrawn on the other, any unpleasant feeling would have been swallowed up and lost sight of in the immensity of the benefit which would

have been produced. They would not then have had to deplore that state of warfare, the risk of which was incalculably great, and the issue of which it was impossible to foresee.

The papers were ordered to lie on the table.

REPEAL OF THE FOREIGN ENLISTMENT BILL.

APRIL 16th, 1823.

Lord Althorp moved "That leave be given to bring in a bill to repeal all the clauses of an act passed in the 59th of George III. c. 69, entitled 'An act to prevent the enlisting or engagement of His Majesty's subjects to serve in foreign service, and the fitting out or equipping in His Majesty's dominions, vessels for warlike purposes, without His Majesty's license,' except the first clause."

Lord Folkestone seconded the motion, in a speech of great vehemence, in which he stated that he was not a sufficient master of language to express the disgust, shame, and indignation he had experienced on the perusal of the documents relating to the affairs of Spain, which the right honourable secretary (Mr. Canning) a few nights ago had laid upon the table of the House. In the course of a long debate upon the above motion,

Mr. Secretary Canning rose, and spoke to the following effect:—Sir, those honourable gentlemen—being by far the greater number of those whom I have the honour to address—who were not present at the commencement of this debate,

can hardly imagine what a degree of restraint I impose upon myself, when I say, that it is my intention to confine myself, in what I am about to remark, strictly to the question before the House. For those who were not present cannot be aware that, from the very beginning of the discussion, there has been, whether studiously or accidentally, I know not, a sort of set-off against the figure which an honourable and learned gentleman* last night applied to the benches on this side of the House, when he was describing what he conceived to be the variety of opinions by which those honourable gentlemen were influenced, who were nevertheless disposed to vote for the same proposition. Nothing certainly can exceed the vacillations of opinion, as to the expediency of maintaining peace or of declaring war, which we have this night heard from those who have nevertheless concurred in advocating the repeal of the Foreign Enlistment bill. The repeal of this measure was moved by a noble lord,† a professed lover of peace, who disclaimed the slightest wish to involve this country in hostility, and who delivered his sentiments with that moderation and good sense which distinguishes every effort that he makes in this House. The motion was seconded by another noble lord,‡ of whose speech the only character which I will give is, that it afforded, in substance,

* Mr. Brougham. † Lord Althorp. ‡ Lord Folkestone.

tone, and manner, a perfect contrast to that of his noble predecessor in the debate. That noble lord declared that he was for war, for open war, and argued in support of a pacific motion simply and solely with a view to hostility. Sir, I will not follow the noble lord through that speech; for it would be necessary, in order that my representation of it should be believed, that honourable gentlemen should have been present when it was spoken. The Lacedæmonians were in the habit of deterring their children from the vice of intoxication by occasionally exhibiting their slaves in a state of disgusting inebriety. But, Sir, there is a moral as well as a physical intoxication. Never before did I behold so complete a personification of the character which I have somewhere seen described, as "exhibiting the contortions of the Sybil without her inspiration?" Such was the nature of the noble lord's speech. I will not on this occasion reply to it; being of opinion with I am sure a great majority of those whom I have the honour to address, that this is not a fit opportunity for entering into such a discussion. Let it not be supposed, however, that I am disposed to shrink from the discussion; for the noble lord may believe me, when I assure him that, however I may have "truckled" to France, I will never truckle to the noble lord. I am perfectly ready to meet the noble lord and the honourable gentleman near him, on the whole of this case whenever they may

please to bring it regularly under the consideration of the House; and I postpone my reply only until the opportunity which has been promised shall arrive, and because the present measure must be discussed, if discussed at all, only on the assumption that we are to preserve our neutrality. If the question which the noble lord and the honourable gentlemen on the other side of the House wish to agitate, is whether the true policy of this country is war or neutrality?—if that is to be the issue in the debate of which they have given notice, I can have no possible objection, when the proper time shall arrive, to meet them, and enter into that discussion; and I am confident I shall be perfectly able to show that, whether the question be viewed with reference to the national security and the national interests, or to the equally important consideration of the national honour, the course of policy which wisdom and justice have marked out for this country in the present state of the world is neutrality—neutrality, as long as it can be preserved consistently with our interests—neutrality, as long as it can be preserved, consistently with our honour.

But, Sir, as I have already declared, I quarrel with no man who honestly entertains an opposite opinion. I am perfectly ready to meet the advocates for war, and without imputing to them any but the most honourable motives. But I must be allowed to postpone my argument on that point,

until the proper time shall arrive for its production. In the meanwhile, I have a fair right to protest against charges, which no man ought to permit himself to throw out at random, when he knows that they cannot be conveniently replied to. However, Sir, I will not be drawn by any intemperate or premature observations, into a debate on a subject not yet before the House. Whenever that subject comes fairly before us, let it be fully investigated; let the true policy of this country be ascertained, and let the conduct of His Majesty's Government be judged of by the standard which Parliament may think proper to establish. In the absence of such a discussion, and such a result, I shall take it for granted that, both in this House and in the country at large, the prevalent feeling is in concurrence with the course which His Majesty's Government have thought it their duty to adopt. If, in assuming that to be the case, I am assuming that which is not true, the noble lord and the honourable gentlemen opposite will soon enjoy the opportunity of setting me right, and of dissipating the unhappy delusion under which I am labouring. But, assuming that to be the fact (for we must have some foundation on which to argue), I proceed to discuss the merits of the noble lord's motion, in reference to a system of neutrality. It was, indeed, in reference to a system of neutrality, that the noble lord brought forward that motion—it was in reference to a

system of neutrality, that the noble lord's motion was supported by an honourable gentleman near him, who always throws a light upon whatever subject he investigates. Undoubtedly, I should very much misrepresent the character of the speech of the noble lord who seconded the motion, were I to assert that it had any reference to neutrality. But, Sir, upon a fair estimate of suffrages, I think I have a right to conclude, that among the supporters of the noble lord's motion the advocates for neutrality bear, at least, an equal proportion to the advocates for war. It is, therefore, in reference to a system of neutrality alone that I should consider myself justified in considering the noble lord's proposition.

Now, Sir, let me, in the first place, recal the attention of the House to the precise nature and state of the question. The act of Parliament which the noble lord has moved for leave to bring in a bill to repeal, was passed four or five years ago, partly in mitigation of the statute law, and partly in confirmation of the common law; the fact being, that the common law prohibited the transfer of military allegiance to any other power without the consent of the Sovereign, and that the statute law annexed to a transgression of the common law on that subject, certain severe and sanguinary penalties. When peace was concluded between this country and Spain in 1814, an article was introduced into the treaty, by which this country

bound itself not to furnish any succours to what were then denominated the revolted colonies of Spain. In process of time, as those colonies became more powerful, a question arose of a very difficult nature; to be decided on a due consideration of their *de jure* relation to Spain on the one side, and their *de facto* independence of her, on the other. The law of nations was entirely silent with respect to the course which, under a circumstance so peculiar as the transition of colonies from their allegiance to the parent state, ought to be pursued. It was difficult to know how far either the statute law or the common law was applicable to colonies so situated. It became necessary, therefore, in the act of 1818, to treat the colonies as actually independent of Spain; and to prohibit mutually, and with respect to both, the aid which had hitherto been prohibited with respect to one alone. Thus, Sir, has the law stood, from the year 1818 down to the present time. I ought to observe, that it was in order to give full and impartial effect to the provisions of the treaty with Spain, which prohibited the exportation of arms and ammunition to the colonies, but did not prohibit their exportation to Spain; that the act of 1818 declared that the prohibition should be mutual —a declaration which so little deserves the character of bearing hard upon the colonies, that it was in fact an extension of advantage to them.

When, however, from the tide of events, war

became probable between France and Spain, it became necessary to review these relations. It was obvious that if war broke out, we must either extend to France the prohibition which already existed with respect to Spain, or we must remove from Spain the prohibition to which she was at present subject, provided we meant to place the countries on an equal footing. As far as the exportation of arms and ammunition was concerned, it was in the power of the Crown to remove any inequality between the parties simply by an order in council. Such an order was consequently issued, and the prohibition of exporting arms and ammunition to Spain was taken off. By this measure His Majesty's Government afforded a guarantee of their *bona fide* neutrality. It is obvious, that the mere appearance of neutrality might have been preserved by the extension of the prohibition to France, instead of by the removal of the prohibition from Spain; but it would have been a prohibition in words only, and not at all in fact; for the immediate vicinity of the Belgic ports to France, would have rendered the prohibition of direct exportation to France totally nugatory. So far, Sir, was this determination on the part of His Majesty's Government concerted (as some honourable gentlemen have imputed to us) with France and not with Spain, that I can assure the House with perfect truth that the concert, if concert it can be called, was with Spain,

and not with France; for His Majesty's Government stated to Spain, that there were two modes in which the difference between the privileges of France and Spain might be equalized by an order in council; either by prohibiting the exportation of arms and ammunition to France, or by removing the prohibition upon their exportation to Spain; but it was also stated to Spain, that His Majesty's Government could not remove that prohibition as it respected Spain, without removing it also as it respected the South American colonies. Such, Sir, was the motive; namely, to produce an equality between France and Spain, not in words but in fact, which prompted the order in council to which I have alluded. I desire to consider the act, for the repeal of which the noble lord has moved, in precisely the same point of view. I desire the House to consider, whether the repeal of that act would not have—not the same, but the correspondent effect to that which would have been produced by an order in council, prohibiting the exportation of arms and ammunition to France.

Sir, every body knows, however he may abstain from saying it, that a repeal of the act in question would be a repeal only in words as respecting France, but a repeal in fact, as respecting Spain. Every body knows that such a repeal would occasion an inequality of operation, certainly not intended by the noble mover who dis-

tinctly disclaimed any such wish; but no less certainly desired by some other supporters of the motion, who are not equally impartial. Whether it might or might not be right to testify a partiality to Spain, is another and a larger question. I am arguing on the assumption that the policy of this country is neutrality; and I maintain that, whether the repeal of the bill ought to be considered as a right or a wrong measure, it cannot be denied, that it would be an infraction of neutrality.

Sir, if I have succeeded in showing that there is no ground for repealing this act, in order to mark our neutrality; if I have succeeded in showing, that what has been done by His Majesty's Government—manifests, if not neutrality, a leaning, not to the stronger, but to the weaker party—it only remains for me to examine whether there is any thing in this act so contrary to the established law of nations as to render it unfit to be longer continued. Sir, the act is divided into two plain and distinct parts; the one, prohibiting British subjects from entering into the military service of belligerent states; the other, forbidding the fitting out of privateers for the service of those states, in British ports, with British means and money, or which are to be manned with British seamen. With respect to the former part, on which the greater portion of the debate of this evening has hinged, I agree with my right

honourable friend near me in considering it as the part which is of the less importance as regards Spain; because though there is no doubt that any advantage taken of the proposed repeal would be in favour of one belligerent, and that a disposition to violate our neutrality on that side, has been already manifested, yet I do not think that it would go the length which has been anticipated by many. I do not mean to say that Spain has shown herself ungrateful for the services of distinguished individuals upon former occasions; but the laws of Spain have been changed since that period. I have observed, and so must those who now hear me have observed, that shortly after the late speech of the King of France, or, at all events, upon the first burst of feeling having manifested itself in Spain, certain regulations were adopted relative to the admission of foreigners into the Spanish army. It was then decided that foreigners who had previously served in the Spanish army, should be allowed to re-enter it—up to the rank of serjeants; and that foreigners who had not served in that country before, should be permitted, with all their hearts, to serve—up to the full rank of privates. So that here, at least, no very strong temptation is held out to induce the co-operation of the military spirit, skill, and enterprise of this country in support of the Spanish cause. I have also reason to form this opinion, from a recollec-

tion of what took place upon former and no very distant occasions.

When the army of England last fought in Spain, they fought in favour of a united people against a foreign and a common foe. How altered is the case at present! Who is there who could wish to see Englishmen on entering the Spanish territory opposed, not to the foes of Spain, but directing their bayonets against Spanish bosoms? This I confess is a sight which I would rather not witness. In one case, perhaps, a feeling of gratitude might be created in the minds of Spaniards: though I confess that upon this point I am not very sanguine; for I recollect, that, though something like gratitude was manifested by the Spaniards for the services rendered by the English during the late war, there was also upon the embarkation of our troops something like a public gratulation, that the country had been at length cleared of the presence of those heretics. This I am aware I may be told arose out of the bigotry of the Spanish Government. And here I cannot help observing that the charge of bigotry urged against Spain, in her dealings with her colonies, is incorrect. Indeed, the reverse is the fact; the main obstacle having been the difficulty of managing their popular assemblies. There is a peculiarity of character in the people of Spain, which, from its reserve, makes the Spaniard a Spaniard and nothing else.

This feeling may perhaps serve to knit them more closely together, and render them more national. It may, too, and it is to be hoped will have the effect of extinguishing the feuds and party differences by which they are at present unhappily distracted. Without imputing blame to them in any degree on this account, I can only repeat, that such is the fact. It is undoubtedly true, that Spaniards amalgamate less readily than any other European people, with the habits and institutions, as they concur more slowly or unwillingly in the views and policy, of any other nations; and I state the circumstance as furnishing an additional argument why it is not altogether desirable to repeal this measure at the present time, for the purpose of mixing up British soldiers with the existing dispute between France and Spain.

But I consider the other branch of the case of infinitely greater importance. A noble lord has made an allusion, and with great fairness, to a speech made by me upon a former evening, in which speech I endeavoured to point out what were the duties imposed upon us by a strict neutrality. That speech has been referred to, as if it contained something that was appalling—some axiom that was unheard-of and abominable—because it advocated the principle of our maintaining a strict neutrality. Good God! is it to become a maxim with this country that she is ever to be a belligerent? Is she never, under any pos-

sible state of circumstances, to remain neutral? If this proposition be good for any thing, it must run to this extent—that our position, insulated as it is from all the rest of the world, removes us so far from the scene of continental warfare, that we ought always to be belligerent—that we are bound to counteract the designs of Providence, to reject the advantages of nature, and to render futile and erroneous the description of the poet, who has said to our honour that we are less prone to war and tumult, on account of our happy situation, than the neighbouring nations that lay conterminous with one another. But wherefore this dread of a neutrality? If gentlemen look to the page of history, they will find that for centuries past, whenever there has been a war in Europe, we have almost always been belligerent. The fact is undoubtedly so; but I am not prepared to lay it down as a principle, that if, at the beginning of a war, we should happen to maintain a species of neutrality, it was an unnatural thing that we should do so. Gentlemen say, that we must be drawn into a war, sooner or later. Why, then, I answer, let it be later. I say, if we are to be drawn into a war, let us be drawn into it on grounds clearly British. I do not say—God forbid I should—that it is no part of the duty of Great Britain to protect what is termed the balance of power, and to aid the weak against the insults of the strong. I say, on the contrary, that to

do so is her bounden duty; but I affirm also, that we must take care to do our duty to ourselves. The first condition of engaging in any war—the *sine quâ non* of every such undertaking —is, that the war must be just; the second, that being just in itself, we can also with justice engage in it; and the third, that being just in its nature, and it being possible for us justly to embark in it, we can so interfere without detriment or prejudice to ourselves. I contend that he is a visionary politician who leaves this last condition out of the question; and I say further, that though the glorious abandonment of it may sound well in the generous speech of an irresponsible orator—with the safety of a nation upon his lips, and none of the responsibility upon his shoulders —it is matter deeply to be considered; and that the Minister who should lay it out of his view, in calling on the country to undertake a war, would well deserve that universal censure and reprobation with which the noble lord opposite has this night menaced me. If it be wise for a Government, though it cannot prevent an actual explosion, to endeavour to circumscribe the limits, and to lessen the duration of a war, then I say that the position we have taken in the present instance is of more probable efficacy than that in which we should have stood, had we suffered ourselves to be drawn into a participation in the contest. Participation, did I say? Sir! is there any man

who hears me—is there any man acquainted with the history of the country for the last twenty years, who does not know the way in which Great Britain has been accustomed to participate in a war? Do not gentlemen know that if we now enter into a war, we must take the whole burthen of it upon ourselves, and conduct the whole force and exertions of the Peninsula. But, supposing such to be our course, how different must be our situation, as compared with former periods. When we last became the defenders of Spain, we fought for and with a united people. What would be the case at present? Any interference on our parts in favour of Spain, must commence with an attempt to unite contending factions, and to stimulate men of opposite interests and opposite feelings, to one grand and simultaneous effort. Now, I do not hesitate to say, that the man who would undertake to do this under present circumstances, must either be possessed of supernatural means of information, or of a hardihood which I may envy, but shall not attempt to imitate. I say that those men will not consult the true dignity of the country, who, finding fault with the part we have adopted, wish to indemnify themselves by endeavouring to make us perform that part amiss. Our course is neutrality—strict neutrality; and, in the name of God, let us adhere to it. If you dislike that course—if you think it injurious to the honour or

interests of the country—drive from their places those neutral Ministers who have adopted it; but until you are prepared to declare war, you are bound to adhere to and to act upon the system which Ministers have laid down.

I stated a few evenings ago that we could have no difficulty in the course which we had to pursue, in observance of a strict neutrality. We have spent much time in teaching other powers the nature of a strict neutrality; and, generally speaking, we found them most reluctant scholars. All I now call upon the House to do, is to adopt the same course which it has recommended to neutral powers upon former occasions. If I wished for a guide in a system of neutrality, I should take that laid down by America, in the days of the presidency of Washington, and the secretaryship of Jefferson. In 1793, complaints were made to the American Government, that French ships were allowed to fit out and arm in American ports, for the purpose of attacking British vessels, in direct opposition to the laws of neutrality. Immediately upon this representation, the American Government held that such a fitting-out was contrary to the laws of neutrality; and orders were issued, prohibiting the arming of any French vessels in American ports. At New York, a French vessel, fitting out, was seized, delivered over to the tribunals, and condemned. Upon that occasion, the American

Government held, that such fitting out of French ships in American ports, for the purpose of cruising against English vessels, was incompatible with the sovereignty of the United States, and tended to interrupt the peace and good understanding which subsisted between that country and Great Britain. Here, Sir, I contend, is the principle of neutrality upon which we ought to act. It was upon this principle that the bill in question was enacted. I do not now pretend to argue in favour of a system of neutrality; but it being declared that we intend to remain neutral, I call upon the House to abide by that declaration so long as it shall remain unaltered. No matter what ulterior course we may be inclined to adopt—no matter whether, at some ulterior period, the honour and interests of the country may force us into a war—still, while we declare ourselves neutral, let us avoid passing the strict line of demarcation. When war comes, if come it must, let us enter into it with all the spirit and energy which becomes us as a great and independent nation. That period, however, I do not wish to anticipate, and much less desire to hasten. If a war must come, let it come in the shape of satisfaction to be demanded for injuries, of rights to be asserted, of interests to be protected, of treaties to be fulfilled. But, in God's name, let it not come on in the paltry, pettifogging way of fitting out ships in our harbours to cruise for gain.

At all events, let the country disdain to be sneaked into a war. Let us abide strictly by our neutrality as long as we mean to adhere to it; and by so doing we shall, in the event of any necessity for abandoning that system, be the better able to enter with effect upon any other course which the policy of the country may require.

The House divided :—

Ayes	110
Noes	216
Majority against the motion	106

NEGOCIATIONS RELATIVE TO SPAIN.

APRIL 28th, 1823.

Mr. Macdonald concluded a speech, in which he took an extensive review of the negociations at Verona, Paris, and Madrid, respecting the affairs of Spain, by moving the following Address :—

" That an humble Address be presented to His Majesty, to inform His Majesty, that this House has taken into its most serious consideration the papers relating to the late negociation, which have been laid before them by His Majesty's gracious command.

" To represent to His Majesty, that the disappointment of His Majesty's benevolent solicitude to preserve general peace, appears to this House to have, in a great measure,

arisen from the failure of His Majesty's Ministers to make the most earnest, vigorous, and solemn protest against the pretended right of the sovereigns assembled at Verona to make war on Spain, in order to compel alterations in her political institutions, as well as against the subsequent pretensions of the French Government, that nations cannot lawfully enjoy any civil privileges but from the spontaneous grant of their kings; principles destructive of the rights of all independent states, which strike at the root of the British Constitution, and are subversive of His Majesty's legitimate title to the throne.

"Further, to declare to His Majesty, the surprise and sorrow with which this House has observed that His Majesty's Ministers should have advised the Spanish Government, while so unwarrantably menaced, to alter their Constitution, in the hope of averting invasion; a concession which alone would have involved the total sacrifice of national independence; and which was not even palliated by an assurance from France, that on receiving so dishonourable a submission, she would desist from her unprovoked aggression.

"Finally, to represent to His Majesty, that, in the judgment of this House, a tone of more dignified remonstrance would have been better calculated to preserve the peace of the continent, and thereby to secure this nation more effectually from the hazard of being involved in the calamities of war."

Mr. Stuart Wortley moved an amended Address—

"That an humble Address be presented to His Majesty, to inform His Majesty that this House has taken into its most serious consideration the papers relating to the late negociations, which have been laid before them by his Majesty's gracious command. To assure His Majesty of our entire concurrence in the principles which His Majesty has repeatedly declared with respect to interference in

the internal concerns of independent nations, and in His Majesty's just application of those principles, in the course of the late negociations, to the case of Spain.

"To acknowledge with gratitude His Majesty's earnest and unwearied endeavours to preserve the peace of Europe.

"To express our deep regret that those endeavours have proved unavailing; and, while we rejoice that His Majesty has not become party to a war in which neither honour, nor treaty, nor the welfare of His Majesty's dominions, required His Majesty to engage, to assure His Majesty that, highly as we estimate the advantages of peace, particularly at the present moment, we shall be at all times ready to afford to His Majesty our most zealous and affectionate support, in any measures which His Majesty may find necessary to fulfil the obligations of national faith, to vindicate the dignity of his Crown, or to maintain the rights and interests of his people."

Towards the close of the discussion that arose on the *third* night of the adjourned debate upon Mr. Macdonald's motion respecting the negociation relatives to Spain, and on the amendment proposed by Mr. S. Wortley—

Mr. Canning rose, and said—I am exceedingly sorry, Mr. Speaker, to stand in the way of any honourable gentleman who wishes to address the House on this important occasion.* But, considering the length of time which the debate has already occupied—considering the late hour to which we have now arrived on the third night of discussion—I hear that my own strength, as well as that of the

* Several gentlemen rose at the same time with Mr. Canning, to address the House, but they resumed their seats, as the call for Mr. Canning became loud and general.—Ed.

House, would be exhausted, if I were longer to delay the explanations which it is my duty to offer, of the conduct which His Majesty's Government have pursued, and of the principles by which they have been guided, through a course of negociations as full of difficulty as any that have ever occupied the attention of a ministry, or the consideration of Parliament.

If gratitude be the proper description of that sentiment which one feels towards the unconscious bestower of an unintended benefit, I acknowledge myself sincerely grateful to the honourable gentleman (Mr. Macdonald), who has introduced the present motion. Although I was previously aware that the conduct of the Government in the late negociations had met with the individual concurrence of many, perhaps of a great majority of the members of this House; although I had received intimations not to be mistaken, of the general satisfaction of the country; still, as from the manner in which the papers have been laid before Parliament, it was not the intention of the Government to call for any opinion upon them, I feel grateful to the honourable gentleman who has, in so candid and manly a manner, brought them under distinct discussion; and who, I hope, will become, however unwillingly, the instrument of embodying the sentiments of individuals and of the country into a vote of parliamentary approbation.

The Government stands in a singular situation with respect to these negociations. They have maintained peace: they have avoided war. Peace or war—the one or the other—is usually the result of negociations between independent states. But all the gentlemen on the other side, with one or two exceptions (exceptions which I mention with honour), have set out with declaring, that whatever the question before the House may be, it is *not* a question of peace or war. Now this does appear to me to be a most whimsical declaration; especially when I recollect, that before this debate commenced, it was known—it was not disguised, it was vaunted without scruple or reserve—that the dispositions of those opposed to Ministers were most heroically warlike. It was not denied that they considered hostilities with France to be desirable as well as necessary. The cry "to arms" was raised, and caps were thrown up for war, from a crowd which, if not numerous, was yet loud in their exclamations. But now, when we come to inquire whence these manifestations of feeling proceeded, two individuals only have acknowledged that they have joined in the cry; and for the caps which have been picked up it is difficult to find a wearer.

But, Sir, whatever may be contended to be the question now before the House, the question which the Government had to consider, and on which they had to decide, was—peace or war?

Disguise or overshadow it how you will, that question was at the bottom of all our deliberations; and I have a right to require that the negociations should be considered with reference to that question; and to the decision, which, be it right or wrong, we early adopted upon that question—the decision that war was to be avoided, and peace, if possible, maintained.

How can we discuss with fairness, I might say with common sense, any transactions, unless in reference to the object which was in the view of those who carried them on? I repeat it, whether gentlemen in this House do or do not consider the question to be one of peace or war, the Ministers could not take a single step in the late negociations, till they had well weighed that question; till they had determined what direction ought to be given to those negociations, so far as that question was concerned. We determined that it was our duty, in the first instance, to endeavour to preserve peace if possible for all the world: next, to endeavour to preserve peace between the nations whose pacific relations appeared most particularly exposed to hazard; and failing in this, to preserve at all events peace for this country; but a peace consistent with the good faith, the interests, and the honour of the nation.

I am far from intending to assert that our decision in this respect is not a fit subject of examination. Undoubtedly the conduct of the Govern-

ment is liable to a twofold trial. First, was the object of Ministers a right object? Secondly, did they pursue it in a right way? The first of these questions, whether Ministers did right in aiming at the preservation of peace, I postpone. I will return to the consideration of it hereafter. My first inquiry is as to the merits or demerits of the negociations: and, in order to enter into that inquiry, I must set out with assuming, for the time, that peace is the object which we ought to have pursued.

With this assumption, I proceed to examine, whether the papers on the table show that the best means were employed for attaining the given object? If the object was unfit, there is an end of any discussion as to the negociations;—they must necessarily be wrong from the beginning to the end; it is only in reference to their fitness for the end proposed, that the papers themselves can be matter worthy of discussion.

In reviewing, then, the course of these negociations, as directed to maintain, first, the peace of Europe; secondly, the peace between France and Spain; and lastly, peace for this country, they divide themselves naturally into three heads:—first, the negociations at Verona; secondly, those with France; and thirdly, those with Spain. Of each of these in their order.

I say, emphatically, in their order; because there can be no greater fallacy than that which

has pervaded the arguments of many honourable gentlemen, who have taken up expressions used in one stage of these negociations, and applied them to another. An honourable baronet (Sir F.Burdett), for instance, who addressed the House last night, employed,—or, I should rather say, adopted—a fallacy of this sort, with respect to an expression of mine in the extract of a despatch to the Duke of Wellington, which stands second in the first series of papers. It is but just to the honourable baronet to admit that his observation was adopted, not original; because, in a speech eminent for its ability, and for its fairness of reasoning (however I may disagree both with its principles and its conclusions), this, which he condescended to borrow, was in truth the only very weak and ill-reasoned part. By my despatch of the 27th of September, the Duke of Wellington was instructed to declare, that "to any interference by force or menace on the part of the allies against Spain, come what may, His Majesty will not be party." Upon this the honourable baronet, borrowing, as I have said, the remark itself, and borrowing also the air of astonishment, which, as I am informed, was assumed by the noble proprietor of the remark, in another place, exclaimed "'come what may!' What is the meaning of this ambiguous menace, this mighty phrase, 'that thunders in the index?'—'Come what may!' Surely a denunciation of war is to follow.—But no—no such thing.—Only—come what may—'His Majesty

will be no party to such proceedings.' Was ever such a *bathos!* Such a specimen of sinking in policy? '*Quid dignum tanto feret hic promissor hiatu?*'"

Undoubtedly, Sir, if the honourable baronet could show that this declaration was applicable to the whole course of the negociations, or to a more advanced stage of them, there would be something in the remark, and in the inference which he wished to be drawn from it. But, before the declaration is condemned as utterly feeble and inconclusive, let us consider what was the question to which it was intended as an answer?—That question, Sir, was not as to what England would do in a war between France and Spain; but as to what part she would take, if, in the Congress at Verona, a determination should be avowed by the allies to interfere forcibly in the affairs of Spain? What then was the meaning of the answer to that proposition,—that, "come what might, His Majesty would be no party to such a project"? Why, plainly that His Majesty would not concur in such a determination, even though a difference with his allies, even though the dissolution of the alliance should be the consequence of his refusal. The answer, therefore, was exactly adapted to the question. This specimen of the bathos, this instance of perfection in the art of sinking, as it has been described to be, had its effect; and the Congress separated without determining in favour of any joint operation of a hostile character against Spain.

Sir, it is as true in politics, as in mechanics, that the test of skill and of success is to achieve the greatest purpose with the least power. If, then, it be found that, by this little intimation, we gained the object that we sought for, where was the necessity for greater flourish or greater pomp of words? An idle waste of effort would only have risked the loss of the object which by temperance we gained!

But where is the testimony in favour of the effect which this intimation produced?—I have it, both written and oral. My first witness is the Duke Mathieu de Montmorency; who states, in his official note of the 26th of December, that the measures conceived and proposed at Verona "would have been completely successful, if England had thought herself at liberty to concur in them." Such was the opinion entertained by the Plenipotentiary of France of the failure at Verona, and of the cause of that failure. What was the opinion of Spain? My voucher for that opinion is the despatch from Sir W. A'Court, of the 7th of January; in which he describes the comfort and relief that were felt by the Spanish Government, when they learnt that the Congress at Verona had broken up with no other result, than the *bruta fulmina* of the three despatches from the courts in alliance with France. The third witness whom I produce, and not the least important, because an unwilling and most unexpected, and

in this case surely a most unsuspected witness, is the honourable member for Westminster (Mr. Hobhouse), who seems to have had particular sources of information as to what was passing at the Congress. According to the anti-chamber reports which were furnished to the honourable member (and which, though not always the most authentic, were in this instance tolerably correct), it appears that there was to be no joint declaration against Spain; and it was, it seems, generally understood at Verona, that the instructions given to His Majesty's Plenipotentiary, by the liberal, —I beg pardon, to be quite accurate I am afraid I must say, the radical—Foreign Minister of England, were the cause. Now the essence of those instructions was comprised in that little sentence, which has been so much criticized for meagreness and insufficiency.

In this case, then, the English Government is impeached, not for failure, but for success; and the honourable baronet, with taste not his own, has expressed himself dissatisfied with that success, only because the machinery employed to produce it did not make noise enough in its operation.

I contend, Sir, that, whatever might grow out of a separate conflict between Spain and France (though matter for grave consideration) was less to be dreaded, than that all the great powers of the continent should have been arrayed together

against Spain; and that although the first object, in point of importance, indeed, was to keep the peace altogether—to prevent *any* war against Spain—the first, in point of time, was to prevent a *general* war; to change the question from a question between the allies on one side, and Spain on the other, to a question between nation and nation. This, whatever the result might be, would reduce the quarrel to the size of ordinary events, and bring it within the scope of ordinary diplomacy. The immediate object of England, therefore, was to hinder the impress of a joint character from being affixed to the war—if war there must be—with Spain; to take care that the war should not grow out of an assumed jurisdiction of the Congress; to keep within reasonable bounds that predominating *areopagitical* spirit, which the memorandum of the British Cabinet of May, 1820, describes as "beyond the sphere of the original conception, and understood principles of the alliance,"—"an alliance never intended as a union for the government of the world, or for the superintendence of the internal affairs of other states." And this, I say, was accomplished.

With respect to Verona, then, what remains of accusation against the Government? It has been charged, not so much that the object of the Government was amiss, as that the negociations were conducted in too low a tone. But the case was obviously one in which a high tone might have

frustrated the object. I beg, then, of the House, before they proceed to adopt an Address, which exhibits more of the ingenuity of philologists than of the policy of statesmen—before they found a censure of the Government for its conduct in negociations of transcendent practical importance, upon refinements of grammatical nicety—I beg that they will at least except from the proposed censure, the transactions at Verona, where I think I have shown that a tone of reproach and invective was unnecessary, and, therefore, would have been misplaced.

Among those who have made unjust and unreasonable objections to the tone of our representations at Verona, I should be grieved to include the honourable member for Bramber (Mr. Wilberforce), with whose mode of thinking I am too well acquainted, not to be aware that his observations are founded on other and higher motives than those of political controversy. My honourable friend, through a long and amiable life, has mixed in the business of the world without being stained by its contaminations : and he, in consequence, is apt to place—I will not say too high, but higher, I am afraid, than the ways of the world will admit, the standard of political morality. I fear my honourable friend is not aware how difficult it is to apply to politics those pure, abstract principles which are indispensable to the excellence of private ethics. Had we employed

in the negociations that serious moral strain which he might have been more inclined to approve, many of the gentlemen opposed to me would, I doubt not, have complained, that we had taken a leaf from the book of the Holy Alliance itself; that we had framed in their own language a canting protest against their purposes, not in the spirit of sincere dissent, but the better to cover our connivance. My honourable friend, I admit, would not have been of the number of those who would so have accused us: but he may be assured that he would have been wholly disappointed in the practical result of our didactic reprehensions. In truth, the principle of *non-interference* is one on which we were already irrecoverably at variance in opinion with the allies; it was no longer debateable ground. On the one hand, the alliance upholds the doctrine of an European police; this country, on the other hand, as appears from the memorandum already quoted, protests against that doctrine. The question is, in fact, settled, as many questions are, by each party retaining its own opinions; and the points reserved for debate are points only of practical application. To such a point it was that we directed our efforts at Verona.

There are those, however, who think that with a view of conciliating the continental powers, and of winning them away the more readily from their purposes, we should have addressed them as

tyrants and despots—tramplers on the rights and liberties of mankind. This experiment would, to say the least of it, be a very singular one in diplomacy. It may be possible, though I think not very probable, that the allies would have borne such an address with patience; that they would have retorted only with the "whispering humbleness" of *Shylock* in the play, and said,—

> "Fair Sir, you spit on me on Wednesday last;
> You spurn'd me such a day; another time
> You called me—dog; and, for these courtesies,"

"we are ready to comply with whatever you desire." This, I say, may be possible. But I confess I would rather make such an experiment, when the issue of it was matter of more indifference. Till then, I shall be loth to employ towards our allies a language, to which if they yielded, we should ourselves despise them. I doubt whether it is wise, even in this House, to indulge in such a strain of rhetoric; to call "wretches" and "barbarians," and a hundred other hard names, powers with whom, after all, if the map of Europe cannot be altogether cancelled, we must, even according to the admission of the most anti-continental politicians, maintain *some* international intercourse. I doubt whether these sallies of raillery—these flowers of Billingsgate—are calculated to sooth, any more than to adorn; whether, on some occa-

sion or other, we may not find that those on whom they are lavished have not been utterly unsusceptible of feelings of irritation and resentment.—

" —— Medio de fonte leporum
Surget amari aliquid, quod in ipsis floribus angat."

But be the language of good sense or good taste in this House what it may, clear I am that, in diplomatic correspondence, no Minister would be justified in risking the friendship of foreign countries, and the peace of his own, by coarse reproach and galling invective; and that even while we are pleading for the independence of nations, it is expedient to respect the independence of those with whom we plead. We differ widely from our continental allies on one great principle, it is true: nor do we, nor ought we to disguise that difference; nor to omit any occasion of practically upholding our own opinion. But every consideration, whether of policy or of justice, combines with the recollection of the counsels which we have shared, and of the deeds which we have achieved in concert and companionship, to induce us to argue our differences of opinion, however freely, with temper; and to enforce them, however firmly, without insult.

Before I quit Verona, there are other detached objections which have been urged against our connection with the Congress, of which it may be

proper to take notice. It has been asked why we sent a Plenipotentiary to the Congress at all? It may, perhaps, be right here to observe, that it was not originally intended to send the British Plenipotentiary to *Verona*. The Congress at Verona was originally convened solely for the consideration of the affairs of Italy, with which, the House is aware, England had declined to interfere two years before. England was, therefore, not to participate in those proceedings; and all that required her participation was to be arranged in a previous Congress at *Vienna*. But circumstances had delayed the Duke of Wellington's departure from England, so that he did not reach Vienna till many weeks after the time appointed. The sovereigns had waited to the last hour consistent with their Italian arrangements. The option was given to our Plenipotentiary to meet them on their return to Vienna; but it was thought, upon the whole, more convenient to avoid further delay; and the Duke of Wellington therefore proceeded to Verona.

Foremost among the objects intended to be discussed at Vienna, was the impending danger of hostilities between Russia and the Porte. I have no hesitation in saying that, when I accepted the seals of office, *that* was the object to which the anxiety of the British Government was principally directed. The negociations at Constantinople had been carried on through the British Ambassador.

So completely had this business been placed in the hands of Lord Strangford, that it was thought necessary to summon him to Vienna. Undoubtedly it might be presumed, from facts which were of public notoriety, that the affairs of Spain could not altogether escape the notice of the assembled Sovereigns and Ministers; but the bulk of the instructions which had been prepared for the Duke of Wellington related to the disputes between Russia and the Porte: and how little the British Government expected that so prominent a station would be assigned to the affairs of Spain, may be inferred from the Duke of Wellington's finding it necessary to write from Paris for specific instructions on that subject.

But it is said, that Spain ought to have been invited to send a Plenipotentiary to the Congress. So far as Great Britain is concerned, I answer—in the first place, as we did not wish the affairs of Spain to be brought into discussion at all, we could not take or suggest a preliminary step which would have seemed to recognize the necessity of such a discussion. In the next place, if Spain had been invited, the answer to that invitation might have produced a contrary effect to that which we aimed at producing. Spain must either have sent a Plenipotentiary, or have refused to do so. The refusal would not have failed to be taken by the allies as a proof of the *duresse* of the King of Spain. The sending one, if sent (as he must

have been) jointly by the King of Spain and the Cortes, would at once have raised the whole question of the *legitimacy* of the existing Government of Spain, and would, almost to a certainty, have led to a joint declaration from the alliance, such as it was our special object to avoid.

But was there any thing in the general conduct of Great Britain at Verona, which lowered, as has been asserted, the character of England? Nothing like it. Our Ambassador at Constantinople returned from Verona to his post, with full powers, from Russia, to treat on her behalf with the Turkish Government; from which Government, on the other hand, he enjoys as full confidence as perhaps any power ever gave to one of its own Ambassadors. Such is the manifest decay of our authority,—so fallen in the eyes of all mankind is the character of this country, that two of the greatest states of the world are content to arrange their differences through a British Minister, from reliance on British influence, and from confidence in British equity and British wisdom!

Such then was the issue of the Congress, as to the question between Russia and the Porte; the question (I beg it to be remembered) upon which we expected to be principally if not entirely engaged at that Congress, if it had been held (as was intended when the Duke of Wellington left London), at Vienna.

As to Italy, I have already said, it was dis-

tinctly understood that we had resolved to take no share in the discussions. But it is almost needless to add that the evacuation of Naples and of Piedmont, was a measure with respect to which, though the Plenipotentiary of Great Britain was not entitled to give or to withhold the concurrence of his Government, he could not but signify its cordial approbation.

The result of the Congress as to Spain, was simply the discontinuance of diplomatic intercourse with that power, on the part of Austria, Russia, and Prussia; a step neither necessarily nor probably leading to war; perhaps (in some views) rather diminishing the risk of it; a step which had been taken by the same monarchies towards Portugal two years before, without leading to any ulterior consequences. The concluding expression of the Duke of Wellington's last note at Verona, in which he states that all that Great Britain could do was to "endeavour to allay irritation at Madrid," describes all that in effect was necessary to be done there, after the Ministers of the allied powers should be withdrawn: and the House have seen in Sir W. A'Court's despatches how scrupulously the Duke of Wellington's promise was fulfilled by the representations of our Minister at Madrid. They have seen too, how insignificant the result of the Congress of Verona was considered at Madrid, in comparison with what had been apprehended.

The result of the Congress as to France, was a promise of countenance and support from the allies in three specified hypothetical cases;—1st, of an attack made by Spain on France; 2d, of any outrage on the person of the King or Royal Family of Spain; 3d, of any attempt to change the dynasty of that kingdom. Any unforeseen case, if any such should arise, was to be the subject of new deliberation, either between court and court, or in the conferences of their Ministers at Paris.

It is unnecessary now to argue, whether the cases specified are cases which would justify interference. It is sufficient for the present argument, that no one of these cases has occurred. France is therefore not at war on a case foreseen and provided for at Verona: and so far as I know, there has not occurred, since the Congress of Verona, any new case to which the assistance of the allies can be considered as pledged; or which has, in fact, been made the subject of deliberation among the Ministers of the several courts who were members of the Congress.

We quitted Verona, therefore, with the satisfaction of having prevented any *corporate* act of force or menace, on the part of *the alliance*, against Spain; with the knowledge of the three cases on which alone France would be entitled to claim the support of her continental allies, in a conflict with Spain; and with the certainty that in any

other case we should have to deal with France alone, in any interposition which we might offer for averting, or for terminating, hostilities.

From Verona we now come, with our Plenipotentiary, to Paris.

I have admitted on a former occasion, and I am perfectly prepared to repeat the admission, that, after the dissolution of the Congress of Verona, we might, if we had so pleased, have withdrawn ourselves altogether from any communication with France upon the subject of her Spanish quarrel; that, having succeeded in preventing a joint operation against Spain, we might have rested satisfied with that success, and trusted, for the rest, to the reflections of France herself on the hazards of the project in her contemplation. Nay, I will own that we did hesitate, whether we should not adopt this more selfish and cautious policy. But there were circumstances attending the return of the Duke of Wellington to Paris, which directed our decision another way. In the first place, we found, on the Duke of Wellington's arrival in that capital, that M. de Villèle had sent back to Verona the drafts of the despatches of the three continental allies to their Ministers at Madrid, which M. de Montmorency had brought with him from the Congress; —had sent them back for re-consideration;—whether with a view to obtain a change in their context, or to prevent their being forwarded to their destination at all, did not appear: but, be that

as it might, the reference itself was a proof of vacillation, if not of change, in the French counsels.

In the second place, it was notorious that a change was likely to take place in the Cabinet of the Tuilleries, which did in fact take place shortly afterwards, by the retirement of M. de Montmorency: and M. de Montmorency was as notoriously the adviser of war against Spain.

In the third place, it was precisely at the time of the Duke of Wellington's return to Paris, that we received a direct and pressing overture from the Spanish Government, which placed us in the alternative of either affording our good offices to Spain, or of refusing them.

This last consideration would perhaps alone have been decisive; but when it was coupled with the others which I have stated, and with the hopes of doing good which they inspired, I think it will be conceded to me, that we should have incurred a fearful responsibility, if we had not consented to make the effort, which we did make, to effect an adjustment between France and Spain, through our mediation.

Add to this,—that the question which we had now to discuss with France was a totally new question. It was no longer a question as to that general right of interference, which we had disclaimed and denied—disclaimed for ourselves, and denied for others,—in the conferences at Verona.

France knew that upon that question our opinion was formed, and was unalterable. Our mediation therefore, if accepted by France, set out with the plain and admitted implication, that the discussion must turn, not on the general principle, but upon a case of exception to be made out by France, showing, to our satisfaction, wherein Spain had offended and aggrieved her.

It has been observed, as if it were an inconsistency, that at Verona a discouraging answer had been given by our Plenipotentiary to a hint that it might, perhaps, be advisable for us to offer our mediation with Spain; but that no sooner had the Duke of Wellington arrived at Paris, than he was instructed to offer that mediation. Undoubtedly this is true: and the difference is one which flows out of, and verifies, the entire course of our policy at Verona. We declined mediating between Spain and an alliance assuming to itself that character of general superintendence of the concerns of nations. But a negociation between kingdom and kingdom, in the old, intelligible, accustomed, European form, was precisely the issue to which we were desirous of bringing the dispute between France and Spain. We eagerly grasped at this chance of preserving peace; and the more eagerly because, as I have before said, we received, at that precise moment, the application from Spain for our good offices.

But France refused our offered mediation: and

it has been represented by some gentlemen, that the refusal of our mediation by France was an affront which we ought to have resented. Sir, speaking not of this particular instance only, but generally of the policy of nations, I contend, without fear of contradiction, that the refusal of a mediation is no affront; and that, after the refusal of mediation, to accept or to tender good offices is no humiliation. I beg leave to cite an authority on such points, which, I think, will not be disputed. Martens, in the dissertation which is prefixed to his collection of treaties, distinguishing between mediation and good offices, lays it down expressly, that a nation may accept the good offices of another after rejecting her mediation. The following is the passage to which I refer:

"Amicable negociations may take place, either between the powers themselves between whom a dispute has arisen, or jointly with a third power. The part to be taken by the latter, for the purpose of ending the dispute, differs essentially according to one or other of two cases; whether the power, in the first place, merely interposes its good offices to bring about an agreement; or, secondly, is chosen by the two parties, to act as a mediator between them." And he adds—"mediation differs essentially from good offices; a state may accept the latter, at the same time that it rejects mediation."*

If there were any affront indeed in this case,

* "Les negociations à l'aimable peuvent avoir lieu entre les

it was an affront received equally from both parties; for Spain also declined our mediation, after having solicited our good offices, and solicited again our good offices, after declining our mediation. Nor is the distinction, however apparently technical, so void of reason as it may at first sight appear. There did not exist between France and Spain that corporeal, that material, that external ground of dispute, on which a mediation could operate. The offence, on the side of each party, was an offence rankling in the minds of each, from a long course of irritating discussions; it was to be allayed rather by appeal to the good sense of the parties, than by reference to any tangible object. To illustrate this:—suppose, for example, that France had in time of peace possessed herself, by a *coup-de-main*, of Minorca; or suppose any unsettled pecuniary claims, on one side or the other, or any litigation with respect to territory; a mediator might be called in, in the first case to recommend restitution, in the others to estimate the amount of claim, or to adjust the

Puissances seules entre lesquelles la dispute s'est élevée, soit avec le concours d'une tierce Puissance. La part que celle-ci peut prendre pour terminer le litige, diffère essentiellement d'après que 1° Elle interpose seulement ses *bons offices* pour moyenner un accommodement, ou que 2° Elle est choisi par les deux parties pour leur servir de médiateur."—*Martens Droit de Gens, Tome VI. p.* 328.—And he subjoins in a note,—"La médiation diffère essentiellement de l'interposition de *bons offices;* on peut accepter ceux-ci, et rejetter la médiation."

terms of compromise. There would, in either of these cases, be a tangible object for mediation. But where the difference was not external; where it arose from irritated feelings, from vague and perhaps exaggerated apprehensions, from charges not proved, nor perhaps capable of proof, on either side, in such cases each party felt that there was nothing definite and precise which either could submit to the decision of a judge, or to the discretion of an arbitrator; though each might at the same time feel that the good offices of a third party, friendly to both, would be well employed to sooth exasperation, to suggest concession, and, without probing too deeply the merits of the dispute, to exhort to mutual forbearance and oblivion. The difference is perfectly intelligible; and, in fact, on the want of a due appreciation of the nature of that difference, turns much of the objection which has been raised against our having suggested concession to Spain.

Our mediation then, as I have said, was refused by Spain as well as by France:—but before it was offered to France, our good offices had been asked by Spain. They were asked in the despatch of M. San Miguel, which has been quoted with so much praise, a praise in which I have no indisposition to concur. I agree in admiring that paper for its candour, manliness, and simplicity. But the honourable member for Westminster has misunderstood the early part of it. He has quoted it,

as if it complained of some want of kindness on the part of the British Government towards Spain. The complaint was quite of another sort. It complained of want of communication from this Government, of what was passing at Verona. The substance of this complaint was true; but in that want of communication there was no want of kindness. The date of M. San Miguel's despatch is the 15th of November; the Congress did not close till the 29th. It is true that I declined making any communication to Spain, of the transactions which were passing at Verona, whilst the Congress was still sitting. I appeal to any man of honour, whether it would not have been ungenerous to our allies, to make such a communication, so long as we entertained the smallest hope that the result of the Congress might not be hostile to Spain; and whether, considering the peculiar situation in which we were placed at that time, by the negociation which we were carrying on at Madrid for the adjustment of our claims upon the Spanish Government, such a communication would not have been liable to the suspicion that we were courting favour with Spain, at the expense of our allies, for our own separate objects? We might to be sure have said to her, "You complain of our reserve, but you don't know how stoutly we are fighting your battles at Verona." But, Sir, I did hope that she never would have occasion to know that such battles had been

fought for her. She never should have known it, if the negociations had turned out favourably. When the result proved unfavourable, I immediately made a full disclosure of what had passed; and with that disclosure, it is unnecessary to say, the Spanish Government were, so far as Great Britain was concerned, entirely satisfied. The expressions of that satisfaction are scattered through Sir W. A'Court's reports of M. San Miguel's subsequent conversations; and are to be found particularly in M. San Miguel's note to Sir William A'Court, of the 12th of January.

In the subsequent part of the despatch of M. San Miguel, of the 15th of November, (which we are now considering) that Minister defines the course which he wishes Great Britain to pursue; and I desire to be judged and justified in the eyes of the warmest advocate for Spain, by no other rules than those laid down in that despatch.

"The acts to which I allude," says M. San Miguel, "would in no wise compromise the most strictly conceived system of neutrality. Good offices, counsels, the reflections of one friend in favour of another, do not place a nation in concert of attack or defence with another, do not expose it to the enmity of the opposite party, even if they do not deserve its gratitude; they are not (in a word) effective aid, troops, arms, subsidies, which augment the force of one of the contending parties. It is of reason only that we are speaking; and it

is with the pen of conciliation that a power, situated like Great Britain, might support Spain, without exposing herself to take part in a war, which she may perhaps prevent, with general utility." Again—"England might act in this manner; being able, ought she so to act? and if she ought, has she acted so? In the wise, just and generous views of the Government of St. James's, no other answer can exist than the affirmative. Why then does she not notify to Spain what has been done, and what it is proposed to do in that mediatory sense *(en aquel sentido mediador)?* Are there weighty inconveniences which enjoin discretion, which show the necessity of secrecy? They do not appear to an ordinary penetration."

I have already told the House why I had not made such a notification; I have told them also that as soon as the restraint of honour was removed, I did make it; and that the Spanish Government was perfectly satisfied with it. And with respect to the part which I have just quoted of the despatch of M. San Miguel, that in which he solicits our good offices, and points out the mode in which they are to be applied, I am sure the House will see that we scrupulously followed *his* suggestions.

Most true it is, and lamentable as true, that our representations to France were not successful. The honourable member for Westminster attributes our failure to the intrigues of Russia; and

has told us of a bet made by the Russian Ambassador in a coffee-house at Paris, that he would force France into a war with Spain.

(Mr. Hobhouse disclaimed this version of his words. He had put it as a conjecture.)

I assure the honourable gentleman that I understood him to state it as a fact: but if it was only conjecture, it is of a piece with the whole of the address which he supports; every paragraph of which teems with guesses and suppositions,equally groundless.

The honourable member for Bridgenorth (Mr. Whitmore) has given a more correct opinion of the cause of the war. I believe, with him, that the war was forced on the French Government by the violence of a political party in France. I believe that at one time the French Government hoped to avert it; and that, up to the latest period, some members of that Cabinet would gladly have availed themselves of the smallest loophole through which the Spanish Government would have enabled them to find their retreat. But we, forsooth, are condemned as dupes, because our opponents gratuitously ascribe to France one settled, systematic and invariable line of policy; because it is assumed that, from the beginning, France had but one purpose in view; and that she merely amused the British Cabinet from time to time with pretences, which we ought to have had the sagacity to detect. If so, the French Government

made singular sacrifices to appearance. M. de Montmorency was sent to Verona; he negociated with the allies; he brought home a result so satisfactory to France, that he was made a duke for his services. He had enjoyed his new title but a few days when he quitted his office. On this occasion I admit that I was a dupe—I believe all the world were dupes with me, for all understood this change of Ministers to be indicative of a change in the counsels of the French Cabinet, a change from war to peace. For eight and forty hours I certainly was under that delusion; but I soon found that it was only a change, not of the question of war, but of the character of that question; a change—as it was somewhat quaintly termed—from *European* to *French*. The Duke M. de Montmorency, finding himself unable to carry into effect the system of policy which he had engaged, at the Congress, to support in the Cabinet at Paris, in order to testify the sincerity of his engagement, promptly and most honourably resigned. But this event, honourable as it is to the Duke M. de Montmorency, completely disproves the charge of dupery brought against us. That man is not a dupe, who, not foreseeing the vacillations of others, is not prepared to meet them; but he who is misled by false pretences, put forward for the purpose of misleading him. Before a man can be said to be duped, there must have

been some settled purpose concealed from him, and not discovered by him; but here there was a variation of purpose; a variation too, which so far from considering it then, or now, as an evil, we then hailed and still consider as a good. It was no dupery on our part to acquiesce in a change of counsel on the part of the French Cabinet, which proved the result of the Congress at Verona to be such as I have described it, by giving to the quarrel with Spain the character of a *French* quarrel.

If gentlemen will read over the correspondence about our offer of mediation, with this key, they will understand exactly the meaning of the difference of tone between the Duke M. de Montmorency and M. de Chateaubriand: they will observe that when I first described the question respecting Spain as a *French* question, the Duke de Montmorency loudly maintained it to be a question *toute Européenne;* but that M. de Chateaubriand, upon my repeating the same description in the sequel of that correspondence, admitted it to be a question at once and equally *toute Française, et toute Européenne:* an explanation the exact meaning of which I acknowledge I do not precisely understand; but which, if it does not distinctly admit the definition of a question *Française,* seems at least to negative M. de Montmorency's definition of a question TOUTE *Européenne.*

In thus unavoidably introducing the names of the French Ministers, I beg I may be understood to speak of them with respect and esteem. Of M. de Montmorency I have already said, that in voluntarily relinquishing his office, he made an honourable sacrifice to the sincerity of his opinions, and to the force of obligations which he had undertaken but could not fulfil. As to M. de Chateaubriand, with whom I have the honour of a personal acquaintance, I admire his talents and his genius; I believe him to be a man of an upright mind, of untainted honour, and most capable of discharging adequately the high functions of the station which he fills. Whatever I may think of the political conduct of the French Government in the present war, I think this tribute justly due to the individual character of M. de Chateaubriand. I think it further due to him in fairness to correct a misrepresentation to which I have, however innocently, exposed him. From a despatch of Sir W. A'Court, which has been laid upon the table of the House, it appears as if M. de Chateaubriand had spoken of the failure of the mission of Lord F. Somerset as of an event which had actually happened, at a time when that nobleman had not even reached Madrid. I have recently received a corrected copy of that despatch, in which the tense employed in speaking of Lord F. Somerset's mission is not *past* but *future;* and the failure of that mission is only

anticipated, not announced as having occurred. The despatch was sent in *cipher* to M. Lagarde (from whom Sir W. A'Court received his copy of it), and nothing is more natural in such cases than a mistake in the inflection of a verb.

It is also just to the French Minister for Foreign Affairs, to allude (although it is rather out of place in this argument) to another circumstance, of which I yesterday received an explanation. A strong feeling has been excited in this country by the reported capture of a rich Spanish prize in the West Indies by a French ship of war. If the French captain had acted under orders, most unquestionably those orders must have been given at a time when the French Government was most warm in its professions of a desire to maintain peace. If this had been the case, it might still perhaps be doubtful whether this country ought to be the first to complain. Formal declarations of war, anterior to warlike acts, have been for some time growing into disuse in Europe. The war in 1756, and the Spanish war in 1804, both, it must be admitted, commenced with premature capture and anticipated hostilities on the part of Great Britain. But—be that as it may—I wrote to Sir C. Stuart, as soon as the intelligence reached this country, desiring him to require an explanation of the affair; the reply, as I have said, arrived yesterday by a telegraphic communication from Paris. It runs thus :

—"Paris, April 28, 1823. We have not received a y thing official as to the prize made by the Jean Bart. This vessel had no instructions to make any such capture. If this capture has really been made, there must have been some particular circumstances which were the cause of it. In any case, the French Government will see justice done."—I have thought it right to clear up this transaction, and to show the promptitude of the French Government in giving the required explanation. I now return to the more immediate subject of discussion, and pass from France to Spain.

It has been maintained that it was an insult to the Spanish Government to ask them, as we did, for assurances of the safety of the Royal Family of Spain. Have I not already accounted for that suggestion? I have shown that one of the causes of war, prospectively agreed upon at Verona, was any act of personal violence to the King of Spain or his family. I endeavoured, therefore, to obtain such assurances from Spain as should remove the apprehension of any such outrage; not because the British Cabinet thought those assurances necessary, but because it might be of the greatest advantage to the cause of Spain, that we should be able to proclaim *our* conviction, that upon this point there was nothing to apprehend; that we should thus possess the means of proving to France that she had no case, arising out of the

conferences of Verona, to justify a war. Such assurances Spain might have refused—she would have refused them—to France. To us she might —she did give them—without lowering her dignity.

And here I cannot help referring, with some pain, to a speech delivered by an honourable and learned friend of mine (Sir J. Mackintosh), last night, in which he dwelt upon this subject in a manner totally unlike himself. He pronounced a high-flown eulogy upon M. Arguelles; he envied him, he said, for many things, but he envied him most for the magnanimity which he had shown in sparing his Sovereign.

[Sir J. Mackintosh said that he had only used the word "sparing," as sparing the *delicacy*, not the *life* of the King.]

I am glad to have occasioned this explanation. I have no doubt that my honourable and learned friend must have intended so to express himself, for I am sure that he must agree with me in thinking that nothing could be more pernicious than to familiarize the world with the contemplation of events so calamitous. I am sure that my honourable and learned friend would not be forward to anticipate for the people of Spain an outrage so alien to their character.

Great Britain asked these assurances then without offence; forasmuch as she asked them—not for herself—not because she entertained the

slightest suspicion of the supposed danger, but because that danger constituted one of those hypothetical cases on which alone France could claim eventual support from the allies; and because she wished to be able to satisfy France that she was not likely to have such a justification.

In the same spirit, and with the like purpose, the British Cabinet proposed to Spain to do that, without which not only the disposition but perhaps the power was wanting on the part of the French Government, to recede from the menacing position which it had somewhat precipitately occupied.

And this brings me to the point on which the longest and fiercest battle has been fought against us—the suggestion to Spain of the expediency of modifying her Constitution. As to this point, I should be perfectly contented, Sir, to rest the justification of Ministers upon the argument stated the night before last by a noble young friend of mine (Lord Francis Leveson Gower), in a speech which, both from what it promised and what it performed, was heard with delight by the House. "If Ministers," my noble friend observed, "had refused to offer such suggestions, and if, being called to account for that refusal, they had rested their defence on the ground of delicacy to Spain, would they not have been taunted with something like these observations? 'What! had you not among you a member of your Government, sitting

at the same council board, a man whom you ought to have considered as an instrument furnished by Providence, at once to give efficacy to your advice, and to spare the delicacy of the Spanish nation? Why did you not employ the Duke of Wellington for this purpose? Did you forget the services which he had rendered to Spain, or did you imagine that Spain had forgotten them? Might not any advice, however unpalatable, have been offered by such a benefactor, without liability to offence or misconstruction? Why did you neglect so happy an opportunity, and leave unemployed so fit an agent? Oh! blind to the interests of the Spanish people—Oh! insensible to the feelings of human nature!' "—Such anargument would have been unanswerable; and, however the intervention of Great Britain has failed, I would much rather have to defend myself against the charge of having tendered advice officiously, than against that of having stupidly neglected to employ the means which the possession of such a man as the Duke of Wellington put into the hands of the Government, for the salvation of a nation which he had already once rescued from destruction.

With respect to the memorandum of the noble duke, which has been so much the subject of cavil—it is the offspring of a manly mind, pouring out its honest opinions with an earnestness characteristic of sincerity, and with a zeal too

warm to stand upon nice and scrupulous expression. I am sure that it contains nothing but what the noble duke really thought. I am sure that what he thought at the time of writing it, he would still maintain; and what he thinks and maintains regarding Spain, must, I should imagine, be received with respect and confidence by all who do not believe themselves to be better qualified to judge of Spain than he is. Whatever may be thought of the Duke of Wellington's suggestions here, confident I am that there is not an individual in Spain, to whom this paper was communicated, who took it as an offence, or who did not do full justice to the motives of the adviser, whatever they might think of the immediate practicability of his advice. Would to God that some part of it, at least, had been accepted!—I admit the point of honour—I respect those who have acted upon it—I do not blame the Spaniards that they refused to make any sacrifice to temporary necessity:—but still—still I lament the result of that refusal. Of this I am quite sure, that even if the Spaniards were justified in objecting to concede, it would have been a most romantic point of honour which should have induced Great Britain to abstain from recommending concession.

It is said that every thing was required of Spain, and nothing of France. I utterly deny it. I have already described the relative situation of the

two countries. I will repeat, though the term has been so much criticised, that they had no *external* point of difference. France said to Spain, "Your revolution disquiets me;" and Spain replied to France, "Your army of observation disquiets me." There were but two remedies to this state of things—war or concession; and why was England fastidiously, and (as I think) most mistakenly, to say, "Our notions of non-interference are so strict that we cannot advise you even for your safety: though whatever concession you may make may probably be met by corresponding concession on the part of France?" —Undoubtedly the withdrawing of the army of observation would have been, if not purely, yet in a great degree, an *internal* measure on the part of France; and one which, though I will not assert it to be precisely equivalent with the alteration by Spain of any fault in her Constitution; yet, considering its immediate practical advantage to Spain, would not, I think, have been too dearly purchased by such an alteration. That France was called upon to make the corresponding concession, appears as well from the memorandum of the Duke of Wellington, as from the despatches of Sir Charles Stuart, and from mine; and this concession was admitted by M. San Miguel to be the object which Spain most desired. England saw that war must be the inevitable consequence of the existing state of things

between the two kingdoms: and, if something were yielded on the one side, it would undoubtedly have been for England to insist upon a countervailing sacrifice on the other.

The propriety of maintaining the army of observation depended wholly upon the truth of the allegations on which France justified its continuance. I do not at all mean to say that the truth of those allegations was to be taken for granted. But what I do mean to say is, that it was not the business of the British Government to go into a trial and examine evidence, to ascertain the foundation of the conflicting allegations on either side. It was clear that nothing but some modification of the Spanish Constitution could avert the calamity of war; and in applying the means in our hands to that object (an object interesting not to Spain only, but to England, and to Europe), it was not our business to take up the cause of either party, and to state it with the zeal and with the aggravations of an advocate; but rather to endeavour to reduce the demands of each within such limits as might afford a reasonable hope of mutual conciliation.

Grant, even, that the justice was wholly on the side of Spain; still, in entreating the Spanish Ministers, with a view to peace, to abate a little of their just pretensions, the British Government did not go beyond the duty which the law of nations prescribes. No, Sir, it was our duty to induce

Spain to relax something of her positive right, for a purpose so essential to her own interests and to those of the world. Upon this point let me fortify myself once more, by reference to the acknowledged law of nations. "The duty of a mediator," says Vattel,* "is to favour well founded claims, and to effect the restoration to each party of what belongs to him; but he ought not scrupulously to insist on rigid justice. He is a conciliator, not a judge: his business is to procure peace; and he ought to induce him who has right on his side, to relax something of his pretensions, if necessary, with a view to so great a blessing."

The conduct of the British Government is thus fortified by an authority, not interested, not partial, not special in its application, but universal, untinctured by favour, uninfluenced by the circumstances of any particular case, and applicable to the general concerns and dealings of mankind. Is it not plain then that we have been guilty of no violation of duty towards the weaker party? Our duty, Sir, was discharged not only without any unfriendly bias against Spain, but with tenderness, with

* "Le devoir d'un Médiateur est bien de favoriser le bon droit, de faire rendre à chacun ce qui lui appartient; mais il ne doit point insister scrupuleusement sur une justice rigoureuse. Il est conciliateur, et non pas juge; sa vocation est de procurer la paix; et il doit porter celui qui a le droit de son côté, à relâcher quelque chose s'il est nécessaire, dans la vue d'un si grand bien."—L. II. c. 18, sec. 328.

preference, with partiality in her favour; and, while I respect (as I have already said) the honourable obstinacy of the Spanish character, so deeply am I impressed with the desirableness of peace for Spain, that, should the opportunity recur, I would again, without scruple, tender the same advice to her Government. The point of honour was in truth rather individual than national; but the safety put to hazard was assuredly that of the whole nation. Look at the state of Spain, and consider whether the filling up a blank in the scheme of her representative Constitution with an amount more or less high, of qualification for the members of the Cortes—whether the promising to consider hereafter of some modifications in other questionable points—was too much to be conceded, if by such a sacrifice peace could have been preserved! If we had declined to interfere on such grounds of *punctilio*, would not the very passage which I have now read from Vattel, as our vindication, have been brought against us with justice as a charge?

I regret, deeply regret, for the sake of Spain, that our efforts failed. I must fairly add, that I regret it for the sake of France also. Convinced as I may be of the injustice of the course pursued by the French Government, I cannot shut my eyes to its impolicy. I cannot lose sight of the gallant character and mighty resources of the French nation, of the central situation of France,

and of the weight which she ought to preserve in the scale of Europe; I cannot be insensible to the dangers to which she is exposing herself; nor omit to reflect what the consequences may be to that country—what the consequences to Europe —of the hazardous enterprise in which she is now engaged; and which, for aught that human prudence can foresee, may end in a dreadful revulsion. As mere matter of abstract right, morality, perhaps, ought to be contented when injury recoils upon an aggressor. But such a revulsion as I am speaking of would not affect France alone: it would touch the continental states at many points; it would touch even Great Britain. France could not be convulsed without communicating danger to the very extremities of Europe. With this conviction, I confess I thought any sacrifice, short of national honour or national independence, cheap, to prevent the first breach in that pacific settlement, by which the miseries and agitations of the world have been so recently composed.

I apologize, Sir, for the length of time which I have consumed upon these points. The case is complicated; the transactions have been much misunderstood, and the opinions regarding them are various and discordant. The true understanding of the case, however, and the vindication of the conduct of Government, would be matters of comparatively light importance, if censure or ap-

probation for the past were the only result in contemplation. But, considering that we are now only at the threshold, as it were, of the war, and that great events are pending, in which England may hereafter be called upon to take her part, it is of the utmost importance that no doubt should rest upon the conduct and policy of this country.

One thing more there is, which I must not forget to notice with regard to the advice given to Spain. I have already mentioned the Duke of Wellington as the chosen instrument of that counsel: a Spaniard by adoption, by title, and by property, he had a right to offer the suggestions which he thought fit, to the Government of the country which had adopted him. But it has been complained, that the British Government would have induced the Spaniards to break an oath: that, according to the oath taken by the Cortes, the Spanish institutions could be revised only at the expiration of eight years; and that, by calling upon the Cortes to revise them before that period was expired, we urged them to incur the guilt of perjury. Sir, this supposed restriction is assumed gratuitously.

There are two opinions upon it in Spain. One party calculates the eight years from the time which has elapsed since the first establishment of the Constitution; the other reckons only the time during which it has been in operation. The latter insist that the period has yet at least two

years to run, because the Constitution has been in force only from 1812 to 1814, and from 1820 to the present time: those who calculate from the original establishment of it in 1812, argue of course that more than the eight years are already expired, and that the period of revision is fully come. I do not pretend to decide between these two constructions; but I assert that they are both Spanish constructions. A Spaniard, of no mean name and reputation—one eminently friendly to the Constitution of 1812—by whose advice Ministers were in this respect guided, gave it as his opinion, that not only consistently with their oath, but in exact fulfilment of it, the Spaniards might now re-consider and modify their Constiution—that they might have done so nearly three years ago. "Shall I lay perjury upon my soul?" say the Cortes. The answer is, "No; we do not ask you to lay perjury upon your souls; for as good a Spanish soul as is possessed by any of you declares, that you may now, in due conformity to your oaths, re-consider, and, where advisable, reform your Constitution." Do we not know what constructions have been put in this country, on the coronation oath, as to its operation on what is called the Catholic Question? Will any man say that it has been my intention, or the intention of my honourable friend, the member for Bramber, every time that we have supported a motion

for communicating to our Roman Catholic fellow-subjects the full benefit of the Constitution, to lay perjury on the soul of the sovereign?

Sir, I do not pretend to decide whether the number of legislative chambers in Spain should be one, or two, or three. In God's name, let them try what experiment in political science they will, provided we are not affected by the trial. All that Great Britain has done on this occasion has been, not to disturb the course of political experiment, but to endeavour to avert the calamity of war. Good God! when it is remembered how many evils are compressed into that little word "war,"—is it possible for any man to hesitate in urging every expedient that could avert it, without sacrificing the honour of the party to which his advice was tendered? Most earnestly do I wish that the Duke of Wellington had succeeded: but great is the consolation that, according to the best accounts from Spain, his counsels have not been misunderstood there, however they have been misrepresented here. I believe that I might with truth go further, and say, that there are those in Spain who now repent the rigid course pursued, and who are beginning to ask each other—why they held out so pertinaciously against suggestions at once so harmless and so reasonable? My wish was, that Spain should be saved; that she should be saved before the extremity of evil had come upon her, even by the

making of those concessions which, in the heat of national pride, she refused. Under any circumstances, however, I have still another consolation —the consolation of knowing, that never, from the commencement of these negociations, has Spain been allowed by the British Government to lie under the delusion that her refusal of all modifications would induce England to join her in the war. The very earliest communication made to Spain forbade her to entertain any such reliance. She was told at the beginning, as she was told in the end, that neutrality was our determined policy. From the first to the last, there was never the slightest variation in this language—never a pause during which she could be for one moment in doubt as to the settled purpose of England.

France, on the contrary, was never assured of the neutrality of England, till my despatch of the 31st of March (the last of the first series of printed papers), was communicated to the French Ministry at Paris. The speech of the King of France, on the opening of the Chambers (I have no difficulty in saying), excited not only strong feelings of disapprobation, by the principles which it avowed, but serious apprehensions for the future, from the designs which it appeared to disclose. I have no difficulty in saying that the speech delivered from the British throne at the commencement of the present session, did, as originally drawn, contain an avowal of our intention to preserve

neutrality; but, upon the arrival of the King of France's speech, the paragraph containing that avowal was withdrawn. Nay, I have no difficulty in adding, that I plainly told the French Chargé d'Affaires, that such an intimation had been intended, but that it was withdrawn, in consequence of the speech of the King, his master. Was this truckling to France?

It was not, however, on account of Spain that the pledge of neutrality was withdrawn: it was withdrawn upon principles of general policy on the part of this country. It was withdrawn, because there was that in the King of France's speech, which appeared to carry the two countries (France and England) back to their position in older times, when France, as regarded the affairs of Spain, had been the successful rival of England. Under such circumstances, it behoved the English Ministers to be upon their guard. We *were* upon our guard. Could we prove our caution more than by withholding that assurance, which would at once have set France at ease? We *did* withhold that assurance. But it was one thing to withhold the declaration of neutrality, and another to vary the purpose.

Spain, then, I repeat, has never been misled by the British Government. But I fear, nevertheless, that a notion was in some way or other created at Madrid, that if Spain would but hold out resolutely, the Government of England would

be forced, by the popular voice in this country, to take part in her favour. I infer no blame against any one; but I do firmly believe that such a notion was propagated in Spain, and that it had great share in producing the peremptory refusal of any modification of the Constitution of 1812. Regretting, as I do, the failure of our endeavours to adjust those disputes, which now threaten so much evil to the world, I am free at least from the self-reproach of having contributed to that delusion in the mind of the Spanish Government or nation, as to the eventual decision of England, which, if it existed in such a degree as to produce reliance upon our co-operation, must have added to the other calamities of her present situation, the bitterness of disappointment. This disappointment, Sir, was from the beginning, certain, inevitable: for the mistake of those who excited the hopes of Spain was not only as to the conduct of the British Government, but as to the sentiments of the British nation. No man, whatever his personal opinion or feeling may be, will pretend that the opinion of the country is not decidedly against war. No man will deny that, if Ministers had plunged the country into a war for the sake of Spain, they would have come before Parliament with a heavier weight of responsibility than had ever lain upon the shoulders of any Government. I impute not to those who may thus have misled the Spanish Ministry, the intention either of

thwarting (though such was the effect) the policy of their own Government, or of aggravating (though such must be the consequence) the difficulties of Spain. But for myself I declare, that even the responsibility of plunging this country into an unnecessary war, would have weighed less heavily upon my conscience, than that, which I thank God I have not incurred, of instigating Spain to the war, by exciting hopes of assistance which I had not the means of realising.

I have thus far, Sir, taken the liberty of assuming that the late negociations were properly directed to the preservation of peace; and have argued the merits of the negociations, on that assumption. I am aware that it is still to be established, that peace, under all the circumstances of the times, *was* the proper course for this country. I address myself now to that branch of the subject.

I believe I may venture to take it as universally admitted, that any question of war involves not only a question of right, not only a question of justice, but also a question of expediency. I take it to be admitted on all hands, that before any government determines to go to war, it ought to be convinced not only that it has just cause of war, but that there is something which renders war its duty: a duty compounded of two considerations—the first, what the country may owe to others; the second, what she owes to herself.

I do not know whether any gentleman on the other side of the House, has thought it worth while to examine and weigh these considerations; but Ministers had to weigh them well before they took their resolution. Ministers did weigh them well; wisely I hope; I am sure conscientiously and deliberately: and, if they came to the decision that peace was the policy prescribed to them, that decision was founded on a reference, first, to the situation of Spain; secondly, to the situation of France; thirdly, to the situation of Portugal; fourthly, to the situation of the Alliance; fifthly, to the peculiar situation of England; and lastly, to the general state of the world. And first, Sir, as to Spain.

The only gentleman, by whom (as it seems to me) this part of the question has been fairly and boldly met, is the honourable member for Westminster (Mr. Hobhouse); who, in his speech of yesterday evening—(a speech which, however extravagant, as I may perhaps think, in its tone, was perfectly intelligible and straight-forward), not only declared himself openly for war, but, aware that one of the chief sinews of war is money, did no less than offer a subsidy to assist in carrying it on. He declared that his constituents were ready to contribute all their means to invigorate the hands of Government in the war; but he annexed, to be sure, the trifling condition, that the war was to be a war of people against

kings. Now this, which, it must be owned, was no unimportant qualification of the honourable member's offer of assistance, is also one to which, I confess, I am not quite prepared to accede. I do not immediately remember any case in which such a principle of war has been professed by any government, except in the decree of the National Convention of the year 1793, which laid the foundation of the war between this country and France—the decree which offered assistance to all nations who would shake off the tyranny of their rulers.

Even the honourable member for Westminster, therefore, is after all but conditionally in favour of war: and, even in that conditional pledge he has been supported by so few members that I cannot help suspecting that if I were to proceed on the faith of his encouragement, I should find myself left with the honourable gentleman, pretty nearly in the situation of King James with his bishops. King James, we all remember, asked Bishop Neale if he might not take his subjects' money without the authority of Parliament? To which Bishop Neale replied "God forbid, Sire, but you should; you are the breath of our nostrils." The King then turned to Bishop Andrews, and repeated the same question; when Bishop Andrews answered, "Sire, I think it is lawful for your Majesty to take my brother Neale's money, for he offers it." Now, if I were to appeal to the

House, on the hint of the honourable gentleman, I should, indeed, on his own terms, have an undoubted right to the money of the honourable gentleman; but if the question were put, for instance, to the honourable member for Surrey (Mr. Holme Sumner), *his* answer would probably be, "You may take my brother of Westminster's money, as he says his constituents have authorized him to offer it; but *my* constituents have certainly given me no such authority."

But however single, or however conditional, the voice of the honourable member for Westminster is still for war; and he does me the honour to tempt me to take the same course, by reminding me of a passage in my political life to which I shall ever look back with pride and satisfaction. I allude to that period when the bold spirit of Spain burst forth indignant against the oppression of Buonaparte. Then unworthily filling the same office which I have the honour to hold at the present moment, I discharged the glorious duty (if a portion of glory may attach to the humble instrument of a glorious cause) of recognizing without delay the rights of the Spanish nation, and of at once adopting that gallant people into the closest amity with England. It was indeed a stirring, a kindling occasion: and no man who has a heart in his bosom, can think even now of the noble enthusiasm, the animated exertions, the undaunted courage, the unconquerable per-

severance of the Spanish nation, in a cause apparently so desperate, finally so triumphant,—without feeling his blood glow and his pulses quicken with tumultuous throbs of admiration. But I must remind the honourable gentleman of three circumstances, calculated to qualify a little the feelings of enthusiasm, and to suggest lessons of caution; I must remind him first of the state of this country,—secondly, of that of Spain—at that period, as compared with the present:—and thirdly, of the manner in which the enterprize in behalf of Spain was viewed by certain parties in this country. We are now at peace. In 1808, we were already at war — we were at war with Buonaparte, the invader of Spain. In 1808, we were, as now, the allies of Portugal, bound by treaty to defend her from aggression; but Portugal was at that time not only menaced by the power of France, but over-run by it; her Royal Family was actually driven into exile, and their kingdom occupied by the French. Bound by treaty to protect Portugal, how natural was it, under such circumstances, to extend our assistance to Spain!—Again. Spain was at that time, comparatively speaking, an united nation. I do not mean to say that there were no differences of opinion; I do not mean to deny that some few among the higher classes had been corrupted by the gold of France: but still the great bulk of the people were united in one cause; their loyalty to

their Sovereign had survived his abdication; and though absent and a prisoner, the name of Ferdinand VII. was the rallying point of the nation. But let the House look at the situation in which England would be placed should she, at the present moment, march her armies to the aid of Spain. As against France alone, her task might not be more difficult than before; but is it only with France that she would now have to contend? England could not strike in the cause of Spain against the invading foe alone. Fighting in Spanish ranks, should we not have to point our bayonets against Spanish bosoms? But this is not the whole of the difference between the present moment, and the year 1808. In 1808, we had a large army prepared for foreign service; a whole war establishment ready appointed; and the simple question was, in what quarter we could best apply its force against the common enemy of England, of Spain, of Portugal,—of Europe. This country had no hopes of peace: our abstinence from the Spanish war could in no way have accelerated the return of that blessing; and the Peninsula presented, plainly and obviously, the theatre of exertion in which we could contend with most advantage. Compare, then, I say, that period with the present; in which none of the inducements, or incitements, which I have described as belonging to the opportunity of 1808, can be found.

But is the absence of inducement and incitement, all? Is there no positive discouragement in the recollections of that time, to check too hasty a concurrence in the warlike views of the honourable member for Westminster? When England, in 1808, under all the circumstances which I have enumerated, did not hesitate to throw upon the banks of the Tagus, and to plunge into all the difficulties of the Peninsula war, an army destined to emerge in triumph through the Pyrenees, — was that course hailed with sympathy and exultation by all parties in the state? Were there no warnings against danger? no chastisements for extravagance? no doubts—no complaints—no charges of rashness and impolicy? I have heard of persons, Sir,—persons of high authority too—who, in the very midst of the general exaltation of spirit throughout this country, declared that, "in order to warrant England in embarking in a military co-operation with Spain, something more was necessary than to show that the Spanish cause was just." "It was not enough," said these enlightened monitors, "it was not enough that the attack of France upon the Spanish nation was unprincipled, perfidious, and cruel—that the resistance of Spain was dictated by every principle, and sanctioned by every motive, honourable to human nature—that it made every English heart burn with a holy zeal to lend its assistance against the oppressor: there were other

considerations of a less brilliant and enthusiastic, but not less necessary and commanding nature, which should have preceded the determination of putting to hazard the most valuable interests of the country. It is not with nations as with individuals. Those heroic virtues which shed a lustre upon individual man, must, in their application to the conduct of nations, be chastened by reflections of a more cautious and calculating cast. That generous magnanimity and high-minded disinterestedness, proud distinctions of national virtue (and happy were the people whom they characterize), which, when exercised at the risk of every personal interest, in the prospect of every danger, and at the sacrifice even of life itself, justly immortalize the hero, cannot and ought not to be considered justifiable motives of political action, because nations cannot afford to be chivalrous and romantic." History is philosophy teaching by example; and the words of the wise are treasured for ages that are to come.

"The age of chivalry," said Mr. Burke, "is gone; and an age of economists and calculators has succeeded." That an age of economists and calculators is come, we have indeed every night's experience. But what would be the surprise, and at the same time the gratification, of the mighty spirit of Burke, at finding his splendid lamentation so happily disproved!—at seeing that chivalrous spirit, the total extinction of which he deplored,

revive, *quâ minimé reris*, on the very benches of the economists and calculators themselves! But in truth, Sir, it revives at a most inconvenient opportunity. It would be as ill-advised to follow a chivalrous impulse now, as it would in 1808 have been inexcusable to disobey it. Under the circumstances of 1808, I would again act as I then acted. But though inapplicable to the period to which it was applied, I confess I think the caution which I have just quoted does apply, with considerable force, to the present moment.

Having shown, then, that in reference to the state of Spain, war was not the course prescribed by any rational policy to England, let us next try the question in reference to France.

I do not stop here to refute and disclaim again the unworthy notion, which was early put forward, but has been since silently retracted and disowned, that it might have been advisable to try the chance of what might be effected by a *menace* of war, unsupported by any serious design of carrying that menace into execution. Those by whom this manœuvre was originally supposed to be recommended are, I understand, anxious to clear themselves from the suspicion of having intended to countenance it, and profess indeed to wonder by whom such an idea can have been entertained. Be it so: I will not press the point invidiously—it is not necessary for my argument. I have a right then to take it as admitted, that we could

not have threatened war, without being thoroughly prepared for it; and that, in determining to threaten, we must virtually have determined (whatever the chances of escaping that ultimate result), to go to war—that the determinations were in fact identical.

Neither will I discuss over again that other proposition, already sufficiently exhausted in former debates, of the applicability of a purely maritime war to a struggle in aid of Spain, in the campaign by which her fate is to be decided. I will not pause to consider what consolation it would have been to the Spanish nation—what source of animation, and what encouragement to perseverance in resisting their invader—to learn, that though we could not, as in the last war, march to their aid, and mingle our banners with theirs in battle, we were, nevertheless, scouring their coasts for prizes, and securing to ourselves an indemnification for our own expences in the capture of Martinico.

To go to war therefore directly, unsparingly, vigorously against France, in behalf of Spain, in the way in which alone Spain could derive any essential benefit from our co-operation—to join her with heart and hand—or to wrap ourselves up in a real and *bonâ fide* neutrality—that was the true alternative.

Some gentlemen have blamed me for a want of enthusiasm upon this occasion—some too, who

formerly blamed me for an excess of that quality; but though I am charged with not being now sufficiently enthusiastic, I assure them that I do not contemplate the present contest with indifference. Far otherwise. I contemplate, I confess, with fearful anxiety, the peculiar character of the war in which France and Spain are engaged, and the peculiar direction which that character may possibly give to it. I was—I still am—an enthusiast for national independence; but I am not—I hope I never shall be—an enthusiast in favour of revolution. And yet how fearfully are those two considerations intermingled, in the present contest between France and Spain! This is no war for territory, or for commercial advantages. It is unhappily a war of principle. France has invaded Spain from enmity to her new institutions. Supposing the enterprise of France not to succeed, what is there to prevent Spain from invading France, in return, from hatred of the principle upon which her invasion has been justified? Looking upon both sides with an impartial eye, I may avow that I know no equity which should bar the Spaniards from taking such a revenge. But it becomes quite another question whether I should choose to place myself under the necessity of actively contributing to successes, which might inflict on France so terrible a retribution. If I admit that such a retribution by the party first attacked could scarcely be cen-

sured as unjust, still the punishment retorted upon the aggressor would be so dreadful, that nothing short of having received direct injury could justify any third power in taking part in it.

War between France and Spain (as the Duke of Wellington has said) must always, to a certain degree, partake of the character of a civil war; a character which palliates, if it does not justify, many acts that do not belong to a regular contest between two nations. But why should England voluntarily enter into a co-operation in which she must either take part in such acts, or be constantly rebuking and coercing her allies? If we were at war with France upon any question such as I must again take the liberty of describing by the term "external" question, we should not think ourselves—(I trust no government of this country would think itself)—justified in employing against France the arms of internal revolution. But what, I again ask, is there to restrain Spain from such means of defensive retaliation, in a struggle begun by France avowedly from enmity to the internal institutions of Spain? And is it in such a quarrel that we would mix ourselves? If one of two contending parties poisons the well-springs of national liberty, and the other employs against its adversary the venomed weapons of political fanaticism, shall we voluntarily and unnecessarily associate ourselves with either, and become responsible for the infliction upon either of such

unusual calamities? While I reject, therefore, with disdain a suggestion which I have somewhere heard, of the possibility of our engaging against the Spanish cause, still I do not feel myself called upon to join with Spain in hostilities of such peculiar character as those which she may possibly retaliate upon France. Not being bound to do so by any obligation, expressed or implied, I cannot consent to be a party to a war in which, if Spain should chance to be successful, the result to France, and, through France, to all Europe, might, in the case supposed, be such as no thinking man can contemplate without dismay; and such as I (for my own part) would not assist in producing, for all the advantages which England could reap from the most successful warfare.

I now come to the third consideration which we had to weigh—the situation of Portugal. It is perfectly true, as was stated by the honourable gentleman (Mr. Macdonald) who opened this debate, that we are bound by treaty to assist Portugal in case of her being attacked. It is perfectly true that this is an ancient and reciprocal obligation. It is perfectly true that Portugal has often been in jeopardy; and equally true that England has never failed to fly to her assistance. But much misconception has been exhibited during the last two nights, with respect to the real nature of the engagements between Portugal and this country; a misconception which has undoubtedly

been, in part, created by the publication of some detached portions of diplomatic correspondence, at Lisbon. The truth is, that some time ago an application was made to this Government by Portugal to "guarantee the new political institutions" of that kingdom. I do not know that it has been the practice of this country to guarantee the political institutions of another. Perhaps something of the sort may be found in the history of our connection with the united provinces of Holland, in virtue of which we interfered, in 1786, in the internal disputes of the authorities in that state. But that case was a special exception: the general rule is undoubtedly the other way. I declined therefore, on the part of Great Britain, to accede to this strange application; and I endeavoured to reconcile the Portuguese Government to our refusal, by showing that the demand was one which went directly to the infraction of that principle of non-interference in the internal affairs of other states, which we professed for ourselves, and which it was obviously the interest of Portugal to see respected and maintained. Our obligations had been contracted with the old Portuguese monarchy. Our treaty bound us to consult the external safety of Portugal; and not to examine, to challenge, or to champion its internal institutions. If we examined their new institutions for the sake of deriving from them new motives for fulfilling our old engagements,

with what propriety could we prohibit other powers from examining them for the purpose of drawing any other conclusion? It was enough to say, that such internal changes no way affected our engagements with Portugal; that we felt ourselves as much bound to defend her, under her altered constitution, as under the ancient monarchy, with which our alliance had been contracted. More than this we could not say; and more than this it was not her interest to require.

And what is the obligation of this alliance?—To defend Portugal—to assist her, if necessary, with all our forces, in case of an unprovoked attack upon her territory. This, however, does not give to Portugal any right to call on us, if she were attacked in consequence of her voluntarily declaring war against another power. By engaging in the cause of Spain, without any direct provocation from France, she would unquestionably lose all claim upon our assistance. The rendering that assistance would then become a question of policy, not of duty. Surely my honourable and learned friend (Sir James Mackintosh), who has declaimed so loudly on this subject, knows as well as any man, that the course which we are bound to follow in any case affecting Portugal, is marked out in our treaties with that crown, with singular accuracy and circumspection. In case of the suspicion of any design being entertained against Portugal by another power, our first duty is to

call on such power for explanation: in case of such interposition failing, we are to support Portugal by arms; first with a limited force, and afterwards with all our might. This treaty we have fulfilled to the letter, in the present instance. We long ago reminded France of our engagements with Portugal; and we have received repeated assurances that it is the determination of France rigidly to respect the independence of that kingdom. Portugal certainly did show some jealousy (as has been asserted) with respect to the Congress of Verona; and she applied to this Government to know whether her affairs had been brought before the Congress. I was half afraid of giving offence, when I said—"the name of Portugal was never mentioned."—"What, not mentioned? not a word about the new institutions?"—"No, not one. If mentioned at all, it was only with reference to the slave trade." In truth, from the beginning to the close of the proceedings of the congress, not the most distant intimation was given of any unfriendly design against Portugal.

Now, before I quit the Peninsula, a single word more to the honourable member for Westminster and his constituents. Have they estimated the burdens of a Peninsular war?—God forbid that, if honour, or good faith, or national interest required it, we should decline the path of duty because it is encompassed with difficulties; but at least we ought to keep some consideration

of these difficulties in our minds. We have experience to teach us, with something like accuracy, what are the pecuniary demands of the contest for which we must be prepared, if we enter into a war in the Peninsula. To take only two years and a half of the last Peninsular war, of which I happen to have the accounts at hand, from the beginning of 1812, to the glorious conclusion of the campaign of 1814, the expense incurred in Spain and Portugal was about £33,000,000. Is that an expense to be incurred again, without some peremptory and unavoidable call of duty, of honour, or of interest?

Such a call we are at all times ready to answer, come—(to use the expression so much decried) come what may. But there is surely sufficient ground for pausing, before we acquiesce in the short and flippant deduction of a rash consequence from false premises, which has been so glibly echoed from one quarter to another, during the last four months. "O! we must go to war with France, for we are bound to go to war in defence of Portugal. Portugal will certainly join Spain against France; France will then attack Portugal; and then our defensive obligation comes into play." Sir, it does no such thing. If Portugal is attacked by France, or by any other power, without provocation, Great Britain is indeed bound to defend her: but if Portugal wilfully seeks the hostility of France, by joining against

France in a foreign quarrel, there is no such obligation on Great Britain. The letter of treaties* is as clear as the law of nations † is precise upon this point: and as I believe no British statesman ever lived, so I hope none ever will live, unwise enough to bind his country by so preposterous an obligation, as that she should go to war, not merely in defence of an ally, but at the will and beck

* (Extract of the treaty of defensive alliance, between Great Britain, Portugal, and the States General, signed at Lisbon, May 16, 1703.)

"Art. II. If ever it shall happen that the Kings of Spain and France, either the present or future, that both of them together, or either of them separately, shall make war, or give occasion to suspect that they intend to make war, upon the kingdom of Portugal, either on the continent of Europe, or in its dominions beyond Seas; Her Majesty the Queen of Great Britain, and the lords the States General, shall use their friendly offices with the said Kings, or either of them, in order to persuade them to observe the terms of peace towards Portugal, and not to make war upon it.

"Art. III. But these good offices not proving successful, but altogether ineffectual, *so that war should be made by the aforesaid kings, or by either of them, upon Portugal;* the above mentioned powers of Great Britain and Holland shall make war, with all their force, upon the aforesaid King or Kings, *who shall carry hostile arms into Portugal.*"

† "Sed et hic distinguendum est, an Fœderatus meus injuriam patiatur, an ipse inferat; si patiatur, promissa implebo; si inferat, non implebo;"——"Cum pacta aiant '*qui bello petitur*,' eorum alia interpretatio esse nequit, quàm ei Fœderato auxilia præstitum iri, qui nullo jure lacessitur bello,—*qui ab hoste petitur, non qui hostem ipse petit.*"

Bynkershoek, Lib. I. Cap. IX. p. 72.

of that ally, whenever ambition, or false policy, or a predominant faction, may plunge that ally into wars of her own seeking and contriving.

On the other hand, would it have been advisable for us to precipitate Portugal into the war? Undoubtedly we might have done so. For by declaring war against France, on behalf of Spain, we should have invited France (and there was perhaps a party in Portugal ready enough to second the invitation) to extend her hostilities to the whole of the Peninsula. But was it an object of sound policy to bring a war upon our hands, of which it was clear that we must bear all the burden? And was not the situation of Portugal, then, so far from being a reason for war, that it added the third motive, and one of the greatest weight, to our preference for a pacific policy?

Fourthly.—As to our continental allies. There was surely nothing in their situation to induce Great Britain to take a part in the war. Their Ministers have indeed been withdrawn from Madrid; but no alarm has been excited, by that act, in Spain. No case has occurred which gives to France a right to call for the assistance of the allies. But had the British Government taken a decided part in support of the Spaniards, a material change might have been produced in the aspect of affairs. Spain, who has now to contend with France alone, might in that case have had to contend with other and more overwhelming forces.

Without pushing these considerations farther, enough surely has been said, to indicate the expediency of adhering to that line of policy which we successfully pursued at Verona; and of endeavouring, by our example as well as by our influence, to prevent the complication, and circumscribe the range of hostilities. Let it be considered, how much the duration and the disasters of a war may depend upon the multitude or the fewness of its elements; and how much the accession of any new party, or parties, to a war, must add to the difficulties of pacification.

I come next to consider the situation of this country. And first, as to our ability for the undertaking of a war. I have already said, that the country is yet rich enough in resources—in means—in strength—to engage in any contest to which national honour may call her; but I must at the same time be allowed to say, that her strength has very recently been strained to the utmost; that her means are at that precise stage of recovery, which makes it most desirable that the progress of that recovery should not be interrupted; that her resources, now in a course of rapid reproduction, would, by any sudden check, be thrown into a disorder more deep and difficult of cure. It is in reference to this particular condition of the country, that I said on a former evening, what the honourable member for Surrey (Mr. Holme Sumner) has since done me the honour to repeat, "If

we are to be driven into war, sooner or later, let it be later:" let it be after we have had time to turn, as it were, the corner of our difficulties—after we shall have retrieved a little more effectively our exhausted resources, and have assured ourselves of means and strength, not only to begin, but to keep up the conflict, if necessary, for an indefinite period of time.

For let no man flatter himself that a war now entered upon would be a short one. Have we so soon forgotten the course and progress of the last war? For my part, I remember well the anticipations with which it began. I remember hearing a man, who will be allowed to have been distinguished by as great sagacity as ever belonged to the most consummate statesman—I remember hearing Mr. Pitt, not in his place in Parliament (where it might have been his object and his duty to animate zeal and to encourage hope), but in the privacy of his domestic circle, among the friends in whom he confided—I remember well hearing him say, in 1793, that he expected that war to be of very short duration. That duration ran out to a period beyond the life of him who made the prediction. It outlived his successor, and the successors of that successor, and at length came suddenly and unexpectedly to an end, through a combination of miraculous events, such as the most sanguine imagination could not have anticipated. With that example full in my recollec-

tion, I could not act upon the presumption that a new war, once begun, would be speedily ended. Let no such expectation induce us to enter a path, which, however plain and clear it may appear at the outset of the journey, we should presently see branching into intricacies, and becoming encumbered with obstructions—until we were involved in a labyrinth, from which not we ourselves only, but the generation to come, might in vain endeavour to find the means of extrication.

For the confirmation of these observations I appeal to that which I have stated as the last of the considerations in reference to which the policy of the British Government was calculated—I mean, to the present state of the world. No man can witness with more delight than I do the widening diffusion of political liberty. Acknowledging all the blessings which we have long derived from liberty ourselves, I do not grudge to others a participation in them. I would not prohibit other nations from kindling their torches at the flame of British freedom. But let us not deceive ourselves. The general acquisition of free institutions is not necessarily a security for general peace. I am obliged to confess that its immediate tendency is the other way. Take an example from France herself. The Representative Chamber of France has undoubtedly been the source of those hostilities, which I should not have despaired of seeing averted through the pacific disposition

of the French King. Look at the democracies of the ancient world. Their existence, I may say, was in war. Look at the petty republics of Italy in more modern times. In truth, long intervals of profound peace are much more readily to be found under settlements of a monarchical form. Did the republic of Rome, in the whole career of her existence, enjoy an interval of peace of as long duration as that which this country enjoyed under the administration of Sir Robert Walpole?—and that interval, be it remembered, was broken short through the instigation of popular feeling. I am not saying that this is right or wrong—but that it is so. It is in the very nature of free governments—and more especially, perhaps, of governments newly free. The principle which for centuries has given ascendancy to Great Britain, is that she was the single free state in Europe. The spread of the representative system destroys that singularity, and must (however little we may like it) proportionably enfeeble our preponderating influence—unless we measure our steps cautiously, and accommodate our conduct to the times. Let it not be supposed that I would disparage the progress of freedom, that I wish checks to be applied to it, or that I am pleased at the sight of obstacles thrown in its way. Far, very far from it. I am only desiring it to be observed, that we cannot expect to enjoy at the same time incompatible advantages. Freedom

must ever be the greatest of blessings; but it ceases to be a distinction, in proportion as other nations become free.

But, Sir, this is only a partial view of the subject; and one to which I have been led by the unreasonable expectations of those who, while they make loud complaints of the diplomacy of England, as less commanding than heretofore, unconsciously specify the very causes which necessarily diminish and counteract its efficacy.

There are, however, other considerations to which I beg leave to turn the attention of the House.

It is perfectly true, as has been argued by more than one honourable member in this debate, that there is a contest going on in the world, between the spirit of unlimited monarchy, and the spirit of unlimited democracy. Between these two spirits, it may be said, that strife is either openly in action, or covertly at work, throughout the greater portion of Europe. It is true, as has also been argued, that in no former period in history is there so close a resemblance to the present, as in that of the Reformation. So far my honourable and learned friend (Sir J. Mackintosh) and the honourable baronet (Sir F. Burdett) were justified in holding up Queen Elizabeth's reign as an example for our study. The honourable member for Westminster too, has observed, that in imitation of Queen Elizabeth's policy, the proper place

for this country, in the present state of the world, is at the head of free nations struggling against arbitrary power. Sir, undoubtedly there is, as I have admitted, a general resemblance between the two periods; forasmuch as in both we see a conflict of opinions, and in both a bond of union growing out of those opinions, which establishes, between parts and classes of different nations, a stricter communion than belongs to community of country. It is true—it is, I own I think, a formidable truth—that in this respect the two periods do resemble each other. But though there is this general similarity, there is one circumstance which mainly distinguishes the present time from the reign of Elizabeth; and which, though by no means unimportant in itself, has been overlooked by all those to whose arguments I am now referring. Elizabeth was herself amongst the revolters against the authority of the Church of Rome; but we are not amongst those who are engaged in a struggle against the spirit of unlimited monarchy. We have fought that fight. We have taken our station. We have long ago assumed a character differing altogether from that of those around us. It may have been the duty and the interest of Queen Elizabeth to make common cause with—to put herself at the head of—those who supported the Reformation: but can it be either our interest or our duty to ally ourselves with revolution? Let us be ready to

afford refuge to the sufferers of either extreme party; but it is not surely our policy to become the associate of either. Our situation now is rather what that of Elizabeth *would have been*, if the Church of England had been, in her time, already completely established, in uncontested supremacy; acknowledged as a legitimate settlement, unassailed and unassailable by papal power. Does my honourable and learned friend believe that the policy of Elizabeth would in that case have been the same?

Now, our complex constitution is established with so happy a mixture of its elements—its tempered monarchy and its regulated freedom—that we have nothing to fear from foreign despotism—nothing at home but from capricious change. We have nothing to fear, unless, distasteful of the blessings which we have earned, and of the calm which we enjoy, we let loose again, with rash hand, the elements of our constitution, and set them once more to fight against each other. In this enviable situation, what have we in common with the struggles which are going on in other countries, for the attainment of objects of which we have been long in undisputed possession? We look down upon those struggles from the point to which we have happily attained, not with the cruel delight which is described by the poet, as arising from the contemplation of agitations in which the spectator is not exposed to

share; but with an anxious desire to mitigate, to enlighten, to reconcile, to save—by our example in all cases—by our exertions where we can usefully interpose.

Our station then, is essentially neutral: neutral not only between contending nations, but between conflicting principles. The object of the Government has been to preserve that station; and for the purpose of preserving it, to maintain peace. By remaining at peace ourselves, we best secure Portugal; by remaining at peace, we take the best chance of circumscribing the range, and shortening the duration of the war, which we could not prevent from breaking out between France and Spain. By remaining at peace, we shall best enable ourselves to take an effectual and decisive part in any contest into which we may be hereafter forced against our will.

The papers on the table, the last paper at least (I mean the despatch of the 31st of March, in which is stated what we expect from France), ought, I think, to have satisfied the honourable baronet, who said that, provided the Government was firm in purpose, he should not be disposed to find fault with their having acted *suaviter in modo*. In that despatch our neutrality is qualified with certain specified conditions. To those conditions France has given her consent. When we say in that despatch, we are "satisfied" that those conditions will be observed, is it not obvious

that we use a language of courtesy, which is always most becomingly employed between independent powers? Who does not know that, in diplomatic correspondence, under that suavity of expression is implied an "or," which imports another alternative?

So far, then, as the interests and honour of Great Britain are concerned, those interests and that honour have been scrupulously maintained. Great Britain has come out of the negociations, claiming all the respect that is due to her; and, in a tone not to be mistaken, enforcing all her rights. It is true that her policy has not been violent or precipitate. She has not sprung forth armed, from the impulse of a sudden indignation; she has looked before and after; she has reflected on all the circumstances which beset, and on all the consequences which may follow, so awful a decision as war; and instead of descending into the arena as party in a quarrel not her own, she has assumed the attitude and the attributes of justice, holding high the balance, and grasping, but not unsheathing the sword.

Sir, I will now trouble the House no further than to call its attention to the precise nature of the motion which it has to dispose of this night. Sir, the result of the negociations, as I have before stated, rendered it unnecessary and irregular for the Government to call for the expression of a parliamentary opinion upon them. It was, how-

ever, competent for any honourable member to suggest to the House the expression of such opinion; which, if expressed at all, it will readily be admitted ought to be expressed intelligibly. Now what is the Address which, after a fortnight's notice, and after the menaces with which it has been announced and ushered in, the House has been desired to adopt? The honourable gentleman's Address first proposes to "represent to His Majesty, that the disappointment of His Majesty's benevolent solicitude to preserve general peace, appears to this House to have, in a great measure, arisen from the failure of his Ministers to make the most earnest, vigorous, and solemn protest against the pretended right of the sovereigns assembled *at Verona*, to make war on Spain in order to compel alterations in her political institutions." I must take the liberty to say that this is not a true description. The war I have shown to be a *French* war, not arising from any thing done, or omitted to be done, *at Verona*. But to finish the sentence:—"as well as against the subsequent pretension of the French Government, that nations cannot lawfully enjoy any civil privileges but from the spontaneous grant of their kings." I must here again take the liberty to say that the averment is not correct. Whatever the misconduct of Government in these negociations may have been, it is plain matter-of-fact, that they protested in the strongest manner against the pre-

tension put forward in the speech of the King of France, that the liberties and franchises of a nation should be derived exclusively from the throne. It is on record, in this very Address, that the honourable gentlemen themselves could not have protested more strongly than the Government; since, in the next sentence to that which I have just read, in order to deliver themselves with the utmost force, they have condescended to borrow my words. For the Address goes on: "—— principles destructive of the rights of all independent states, which *strike at the root of the British Constitution*, and are subversive of His Majesty's legitimate title to the throne." Now by far the strongest expression in this sentence,—the metaphor (such as it is) about "striking at the root of the British Constitution," —is mine. It is in my despatch to Sir Charles Stuart of the 4th of February. I claim it with the pride and fondness of an author; when I see it plagiarized by those who condemn *me* for not using sufficiently forcible language, and who yet in the very breath in which they pronounce that condemnation, are driven to borrow my very words to exemplify the omission which they impute.

So much for the justice of the Address; now for its usefulness and efficacy.

What is the full and sufficient declaration of the sense of the House on this most momentous

crisis, which is contained in this monitory expostulation to the throne? It proceeds: "Further to declare to His Majesty the surprise and sorrow with which this House has observed that His Majesty's Ministers should have advised the Spanish Government, while *so* unwarrantably menaced"—(this "so" must refer to something out of doors, for there is not a word in the previous part of this precious composition to which it can be grammatically applied);—"to alter their constitution, in the hope of averting invasion; a concession which alone would have involved the total sacrifice of national independence, and which was not even palliated by an assurance from France, that on receiving so dishonourable a submission, she would desist from her unprovoked aggression." (I deny this statement, by the way; it is a complete misrepresentation). "Finally to represent to His Majesty, that in the judgment of this House a tone of more dignified remonstrance *would have been* better calculated to preserve the peace of the Continent, and thereby to secure this nation more effectually from the hazard of being involved in the calamities of war." And there it ends!—with a mere conjecture of what "*would have been!*"

Is this an Address for a British Parliament, carrying up a complaint that the nation is on the eve of war, but conveying not a word of advice as to the course to be followed at such a moment?

I, for my own part, beg the House not to agree to such an Address—for this reason, amongst others, that as it will be my duty to tender my humble advice to His Majesty as to the answer to be given to it, I am sure I shall not know what to advise His Majesty to say:—the only answer which occurs to me as suitable to the occasion is, "Indeed! I am very sorry for it."

This then is the upshot of a motion which was to show that the present Ministers are unfit to carry on war or to maintain peace; and, by implication, that there are those who know better how such matters should be managed. This is the upshot of the motion, which was to dislodge us from our seats, and to supply our places with the honourable gentlemen opposite. It is affirmed that we are now on the eve of war, the peace which we have maintained being insecure. If we *are* on the eve of war, will not this be the first time that a British House of Parliament has approached the throne, on such an occasion, without even a conditional pledge of support? If war is a matter even of possible contemplation, it surely becomes this House either to concur in an Address for the removal of the Ministers, who have needlessly incurred that danger; or, as the amendment moved by the honourable member for Yorkshire proposes, to tender to His Majesty a cordial assurance that this House will stand by His Majesty in sustaining the dignity of his crown, and

the rights and interests of his people. I trust, therefore, Sir, that by rejecting this most incorrect and inadequate Address—as unworthy of the House as it is of the occasion; an Address contradictory in some parts to itself; in more, to the established facts of the case; and in all to the ascertained sense of the country; and by adopting, in its room, the amendment moved by the honourable member for Yorkshire, and seconded by the member for London, the House will stamp the policy which the King's Ministers have pursued—feebly perhaps—perhaps erroneously—but at all events from pure motives, in the sincerity of their hearts, and as conducive, in their judgment, to the tranquillity, welfare, and happiness, not of this country only, but of the world—with that highest of all sanctions, the deliberate approbation of the House of Commons.

The original Address was negatived without a division. On the amended Address the House divided. The numbers were,

For the amendment	372
Against it	20
Majority	352

THE ABOLITION OF SLAVERY.

MAY 15th, 1823.

Mr. F. Buxton submitted the following Resolution:—

"That the state of Slavery is repugnant to the principles of the British Constitution, and of the Christian Religion; and that it ought to be gradually abolished throughout the British Colonies with as much expedition as may be found consistent with a due regard to the well being of the parties concerned."

Mr. Secretary Canning said:—Sir, the appeal to His Majesty's Ministers with which the honourable gentleman concluded his speech, makes me feel it my duty to address myself to the House at this early period of the debate, for the purpose of stating, without reserve, the opinions entertained by myself and my colleagues with respect to this most important, and, I must say, at the same time (notwithstanding what has fallen from the honourable gentleman), this most fearful question. I never in my life proceeded to the discussion of any question under a stronger impression of its manifold difficulties; not indeed in reference to the principles on which my opinions are grounded, nor with respect to the practical conclusion to which I may think it expedient to come; but on account of the dangers,

which, even after all that the honourable gentleman has said to the contrary, appear to me to attend a discussion, in which one rash word, perhaps even one too ardent expression, might raise a flame not easily to be extinguished.

I mention these circumstances, Sir, not for the purpose of imputing any blame to the honourable gentleman, or to those friends in conjunction with whom he has brought forward the resolution in your hands, nor for that of discouraging fair and free deliberation; but I take the liberty of throwing out a caution to those who, in a more advanced stage of the discussion, and when conflicting opinions may have produced a warmth which I do not feel, might be induced to colour more deeply the pictures which the honourable gentleman himself has sketched with no light hand; and who might thus excite feelings which it is not necessary to awaken for the accomplishment of any practical good, but which, if awakened, might either impede the attainment of that good, or expose it to gratuitous hazard.

And here the honourable gentleman must allow me to ask—what had the latter part of his speech to do with his present purpose? Why did he think it expedient to recur to the former delinquencies of this country, which, if capable of expiation, have been expiated? Why did he go back to a state of things in the West Indies, to which, so far as they could be remedied, remedy

has been applied? Why did he go out of his way to recal the horrors and cruelties connected with the now abolished Slave Trade, which were at former times brought under the notice of Parliament? Why, when he was stirring a question totally new—(and I mention that character of the question, not as matter of blame, but as matter of fact)—why did he mix it up with that other odious question, often, indeed, discussed, but long ago decided, with which, during an agitation of twenty years, it was never before placed in *juxta*-position, but for the purpose of being contrasted with, and separated from it? In all former discussions, in all former votes against the Slave Trade, it cannot surely be forgotten, that the ulterior purpose of emancipation was studiously disclaimed. I have myself frequently joined in that disclaimer on former occasions. In doing so, I certainly did not mean to advance so untenable a proposition as that it was intended to purchase the abolition of the Slave Trade by an indefinite continuance of slavery. Undoubtedly that was not my meaning; but what I at least did mean—what in all fairness any man who took the same distinction must be held to have meant—was, that the two questions should be kept separate, and argued on their separate grounds; that the odium of that which we were labouring to abolish should not be brought to bear with increased intensity on that of which we were

compelled to allow the continuance. Slavery, not willingly, but necessarily, was allowed to continue. I do not say that it is therefore to continue indefinitely; I speak not of it as a system to be carefully preserved and cherished, but as one to be dealt with according to its own nature, and with reference to its inherent peculiarities. We must be considered as having tacitly, if not expressly, taken the engagement, not, on every subsequent discussion, to look back to atrocities which have ceased, not to revive animosities which have been extinguished, and to throw in the teeth of those whose interests are at hazard, cruelties with which they in fact had no concern. After such an implied pledge, it is somewhat hard in the honourable gentleman to revert to those past-gone topics, instead of confining himself to facts and arguments which properly belong to the motion which he has introduced.

I will not follow the honourable gentleman through the various matters of this kind which he has brought to his aid; but I will here take the liberty to dismiss the consideration of the Slave Trade, as of a thing forgotten and gone by: and I will entreat the House to look at the present situation of the West Indies, not as at a population accumulated by a succession of crimes such as those which the honourable gentleman has detailed, but simply as it is.

The honourable gentleman has treated this

subject rather with powerful declamation than with sober statement: for I must beg leave to consider as a figure of eloquence, rather than as a practical argument, the intimation that we must deal with this question, not as a matter of justice and judgment, but of impulse and feeling. That is not a ground on which Parliament can be called upon to act. The manner in which the black population of the West Indies has been collected, may indeed be the subject of reflection to the historian, or discussion to the moralist; but, in calling upon the legislature to adopt a measure of the greatest importance, and of the utmost difficulty, the honourable gentleman addresses himself not to the prudence, but to the feeling of the House. I confess it seems to me that he pursues the course least likely to lead to a satisfactory result.

Looking, then, at the present condition of the West Indies, I find there a numerous black population, with a comparatively small proportion of whites. The question to be decided is, how civil rights, moral improvement, and general happiness are to be communicated to this overpowering multitude of slaves, with safety to the lives, and security to the interests of the white population, our fellow subjects and fellow citizens. Is it possible that there can be a difference of opinion upon this question? Is it possible that those most nearly concerned in the present state

of property in the West Indies, and those who contemplate the great subject with the eye of the philosopher and the moralist, should look at it in any other than one point of view? Is it possible for a member of Parliament, still more for a member of the Government, to say that he does not wish, so far as is consistent with other great considerations necessarily involved, to impart every improvement which may tend to raise in the scale of being the unfortunate creatures now in a state of servitude and ignorance? Undoubtedly, sacrifices ought to be made for the attainment of so great a good; but would I, on this account, strike at the root of the system—a system the growth of ages—and unhesitatingly and rashly level it at a blow? Are we not all aware that there are knots which cannot be suddenly disentangled, and must not be cut—difficulties which, if solved at all, must be solved by patient consideration and impartial attention, in order that we may not do the most flagrant injustice by aiming at justice itself?

The honourable gentleman begins his resolution with a recital which, I confess, greatly embarrasses me. He says, that "the state of slavery is repugnant to the principles of the British Constitution, and of the christian religion." God forbid that he who ventures to object to this statement, should therefore be held to assert a

contradiction to it. I do not say that the state of slavery is consonant to the principles of the British Constitution; still less do I say that the state of slavery is consonant to the principles of the christian religion. But though I do not advance these propositions myself, nevertheless, I must say, that in my opinion the propositions of the honourable gentleman are not practically true. If the honourable gentleman means that the British Constitution does not admit of slavery in that part of the British dominions where the constitution is in full play, undoubtedly his statement is true; but it makes nothing for his object. If, however, the honourable member is to be understood to maintain that the British Constitution has not tolerated for years, nay more, for centuries, in the colonies, the existence of slavery —a state of society unknown in the mother country —that is a position which is altogether without foundation, and positively and practically untrue. In my opinion, when a proposition is submitted to this House for the purpose of inducing the House to act upon it, care should be taken not to confound, as I think is done in this Resolution, what is morally true with what is historically false. Undoubtedly the spirit of the British Constitution is, in its principle, hostile to any modification of slavery. But as undoubtedly the British Parliament has for ages tolerated, sanc-

tioned, protected, and even encouraged a system of colonial establishment, of which it well knew slavery to be the foundation.

In the same way, God forbid that I should contend that the christian religion is favourable to slavery. But I confess I feel a strong objection to the introduction of the name of christianity, as it were bodily, into any parliamentary question. Religion ought to controul the acts and to regulate the consciences of governments, as well as of individuals; but when it is put forward to serve a political purpose, however laudable, it is done, I think, after the example of ill times; and I cannot but remember the ill objects to which in those times such a practice was applied. Assuredly no christian will deny that the spirit of the christian religion is hostile to slavery, as it is to every abuse and misuse of power. It is hostile to all deviations from rectitude, morality, and justice. But if it be meant that in the christian religion there is a special denunciation against slavery—that slavery and christianity cannot exist together—I think the honourable gentleman himself must admit that the proposition is historically false; and again I must say, that I cannot consent to the confounding, for a political purpose, what is morally true with what is historically false. One peculiar characteristic of the christian dispensation, if I must venture in this place upon such a theme, is, that it has accommodated

itself to all states of society, rather than that it has selected any particular state of society for the peculiar exercise of its influence. If it has added lustre to the sceptre of the sovereign, it has equally been the consolation of the slave. It applies to all ranks of life, to all conditions of men; and the sufferings of this world, even to those upon whom they press most heavily, are rendered comparatively indifferent by the prospect of compensation in the world, of which christianity affords the assurance. True it certainly is, that christianity generally tends to elevate, not to degrade, the character of man; but it is not true, in the specific sense conveyed in the honourable gentleman's Resolution; it is not true, that there is that in the christian religion which makes it impossible that it should co-exist with slavery in the world. Slavery has been known in all times, and under all systems of religion, whether true or false. *Non meus hic sermo.* I speak but what others have written on this point; and I beg leave to read to the House a passage from Dr. Paley, which is directly applicable to the subject that we are discussing.

" Slavery was a part of the civil constitution of most countries when christianity appeared; yet no passage is to be found in the christian scriptures by which it is condemned and prohibited. This is true, for christianity, soliciting admission into all nations of the world, abstained, as be-

hoved it, from intermeddling with the civil institutions of any. But does it follow, from the silence of scripture concerning them, that all the civil institutions which then prevailed were right, or that the bad should not be exchanged for better? Besides this, the discharging of all slaves from all obligation to obey their masters, which is the consequence of pronouncing slavery to be unlawful, would have no better effect than to let loose one half of mankind upon the other. Slaves would have been tempted to embrace a religion which asserted their right to freedom—masters would hardly have been persuaded to consent to claims founded upon such authority; the most calamitous of all consequences, a *bellum servile*, might probably have ensued, to the reproach, if not the extinction, of the christian name. The truth is, the emancipation of slaves should be gradual, and be carried on by the provisions of law, and under the protection of civil government. Christianity can only operate as an alterative. By the mild diffusion of its light and influence, the minds of men are insensibly prepared to perceive and correct the enormities which folly, or wickedness, or accident, have introduced into their public establishments. In this way the Greek and Roman slavery, and, since these, the feudal tyranny, had declined before it. And we trust that, as the knowledge and authority of the

same religion advance in the world, they will abolish what remains of this odious institution."

The honourable gentleman cannot wish more than I do, that, under this gradual operation, under this widening diffusion of light and liberality, the spirit of the christian religion may effect all the objects he has at heart. But it seems to me that it is not, for the practical attainment of his objects, desirable that that which may be the influencing spirit, should be put forward as the active agent. When christianity was introduced into the world, it took its root amidst the galling slavery of the Roman empire; more galling in many respects (though not precisely of the same character) than that of which the honourable gentleman, in common, I may say, with every friend of humanity, complains. Slavery at that period gave to the master the power of life and death over his bondsman: this is undeniable—known to every body. "*Ita servus homo est!*" are the words put by Juvenal into the mouth of the fine lady who calls upon her husband to crucify his slave. If the evils of this dreadful system nevertheless gradually vanished before the gentle but certain influence of christianity, and if the great author of the system trusted rather to this gradual operation of the principle than to any immediate or direct precept, I think Parliament would do more wisely

rather to rely upon the like operation of the same principle, than to put forward the authority of christianity in at least a questionable shape. The name of christianity ought not to be thus used, unless we are prepared to act in a much more summary manner than the honourable gentleman himself proposes. If the existence of slavery be repugnant to the principles of the British Constitution and of the christian religion, how can the honourable gentleman himself consent to pause even for an instant, or to allow any considerations of prudence to intervene between him and his object? How can he propose to divide slaves into two classes, one of which is to be made free directly, while he leaves the other to the gradual extinction of their state of suffering? But if, as I contend, the British Constitution does not, in its necessary operation, go to extinguish slavery in every colony, it is evident that the honourable gentleman's proposition is not to be understood in the precise sense which the honourable gentleman gives to it; and if the christian religion does not require the instant and unqualified abolition of slavery, it is evident, I apprehend, that the honourable member has mis-stated in his Resolution the principle upon which he himself is satisfied to act. But while I contend against the literal sense and too positive language of the honourable gentleman's Resolutions, and while I declare my unwillingness to adopt them as the

basis of our proceedings, let me not be misunderstood as quarrelling with their intention. I admit as fully as the honourable gentleman himself, that the spirit both of the British Constitution and of the christian religion is in favour of a gradual extermination of this unquestioned evil; and I am ready to proceed with the honourable gentleman to all reasonable and practicable measures for that purpose.

On these principles I feel disposed to agree in much that the honourable gentleman has said. To many of his measures of detail I have not the slightest objection; without, however, admitting the solidity of all his ingenious illustrations, or subscribing to the correctness of all his arguments, I think the House will be of my opinion, that at this time of day we must consider property as the creature of law; and that, when law has sanctioned any particular species of property, we cannot legislate in this House as if we were legislating for a new world, the surface of which was totally clear from the obstruction of antecedent claims and obligations. If the honourable gentleman asks me, on the other hand, whether I maintain the inviolability of property, so far as to affirm the proposition that the children of slaves must continue to be slaves for ever—I answer, frankly, No. If, again, he asks me how I reconcile my notions of reverence for the sacredness of property with the degree of authority I am prepared to exercise for

the attainment of my object; I answer, with equal frankness, in accomplishing a great national object, in doing an act of national justice, I do not think it right to do it at the exclusive expense of any one class of the community. I am disposed to go gradually to work, in order to diminish both the danger to be risked and the burden to be incurred. My opinion is also, and I am prepared to state it (the honourable gentleman having made his appeal to the Government on this question some weeks ago) as the opinion of my colleagues as well as my own—that, in order that the object which we have all in view may be undertaken safely and effectually, it is better that it should be left in the hands of the Executive Government.

With that view I have taken the liberty of preparing certain Resolutions, which I shall propose to substitute for those of the honourable gentleman. Between the two sets of Resolutions, the substantial difference, it will be seen, is not very essential; but, from the difference of responsibility between the honourable gentleman and myself, I must of necessity lay down my principles with greater caution than he has done, and proceed more coolly and considerately, so as to avoid the liability to misrepresentation. Not that I wish to shrink from particulars, so far as it may be expedient to enter into them.

I may say, then, that there are two or three points referred to by the honourable gentleman,

to which I cannot refuse my concurrence. For instance, he asks if the present mode of working —that which is described by the term, driving— the slaves, by means of a cart-whip in the hand of one who follows them, ought to be allowed? I reply, certainly not. But I go further; I tell the honourable gentleman, that in raising any class of persons from a servile to a civil condition, one of the first principles of improvement is in the observance paid to the difference of sexes. I would therefore abolish, with respect to females, the use of the whip—not only as a stimulant to labour in the field—I would abolish it altogether as an instrument of punishment—thus saving the weaker sex from indecency and degradation. I should further be inclined to concur with the honourable gentleman as to the insufficiency of the time allowed to the negro for religious and moral instruction, so long as the cultivation of his provision-ground and his marketing occupy the greater part of the sabbath. In this point I am anxious to introduce improvement into the present system.

These are points on which I have no hesitation in agreeing with the honourable gentleman; but there are some others requiring more mature consideration in practice, although, in principle, I feel bound to say that I agree with him. I agree with him in thinking that what is now considered, by custom, and, in point of fact, the property of

the negro, ought to be secured to him by law. I agree with him in thinking that it would be beneficial if the liberty of bequest were assured to him: perhaps it might be made conditional upon marriage. I agree with him in thinking that it may perhaps be desirable to do something with regard to the admitting the evidence of negroes; but this I hold to be a much more difficult question, and one requiring more thorough deliberation than I have yet had time to give to it. It is a point of such extreme delicacy, and demands so much local and practical knowledge, that I hardly feel justified in pronouncing at this moment any decided opinion upon it. Thus far I concur, that it well merits favourable and patient investigation; and for myself, and those who act with me, I can say that we should commence that investigation with a leaning to the view of the subject taken by the honourable gentleman. More at present I will not say.

I agree further with the honourable gentleman in thinking, that (though great difficulties may be experienced, not from the moral but from the legal part of the question) the process of the writ of *venditioni exponas*, by which the slaves are sold separately from the estates, ought, if possible, to be abolished.

I have mentioned these particulars as those which have most immediately attracted the attention of His Majesty's servants. I can assure the

honourable gentleman and the House, that they have looked at this subject with a sincere desire to render all possible assistance to the undertaking of the honourable gentleman, and to co-operate in every practicable measure for ameliorating the condition of the negroes.

I should ill discharge my duty this day, after the warning of the last few weeks, during which this great subject has been in discussion, if I were not to say, that, upon most of the particulars which I have mentioned, if not upon all, there is every disposition among those who may be considered as representing the colonial interests in this House and in this country, to give them a fair, liberal, and candid consideration.

The immediate question before the House may therefore be narrowed to this point—whether it is better to enter upon this question in a temper of mind unembittered by the retrospect of past evils and atrocities, and with a chance of carrying with us a degree of consent on the part of those most interested and most exposed to the hazard of injury from any change; or, at the risk of angry discussions, which, however innoxious in this House, yet, if echoed in other places, might be attended with the most frightful consequences, to adopt at once the propositions of the honourable gentleman. The question is, whether, upon the declaration of principles now made to the House, the honourable gentleman

and his friends will be contented with the Resolutions which I shall have the honour to propose, or will press his motion to a division, at all the hazards which I would rather leave to be imagined than describe.

There is, however, one point in the honourable gentleman's statement upon which I certainly entertain a difference of opinion: I mean, the proposal of fixing a period at which the children of slaves shall be free. I doubt—not from any peculiar knowledge that I have of the subject, but upon the general principles of human nature—whether the measure recommended by the honourable gentleman would produce the degree of satisfaction which he anticipates, and whether it might not produce feelings of an opposite nature. I doubt whether in its operation it would not prove at once the least efficient and the most hazardous mode of attaining his own object. But I throw out these observations with the same frankness and candour with which I have expressed myself in approval of those points of the honourable gentleman's propositions in which I have had the pleasure to concur. I desire not to be bound by these observations any more than I feel myself bound to carry into effect, at all risks, and at all hazards, those points upon which I have given a favourable opinion. I declare openly and sincerely my present impressions, formed after the best deliberation that there has been

time to give to the consideration of the subject. I trust and believe that I have not spoken positively upon any thing upon which there is a probability of my having hereafter to retract what I have said. I speak doubtfully on some points, even where the bent of my opinion is very strong: but the one thing I am most anxious to avoid, is the declaration of any pledge of an abstract nature; the laying down any principle, the construction of which is to be left to those whose feelings, and prejudices, and passions must naturally be awake to these discussions, and who, when they learn, by a declaration of this House, that "the continuance of slavery, and the principles of the christian religion, are incompatible," might imagine they saw, in such a declaration, what, I say, in abstract reasoning I have, I think, shown they would be fairly entitled to see in it—their own immediate and unqualified emancipation. Lay down such principles, I say, and those persons would have a right to draw that conclusion, and when the House had once made such a declaration, the qualification would come too late.

I am therefore peculiarly desirous that the qualification should be embodied in the same vote which affirms the principle, and that nothing should be left to inference and construction: that even the hopes held out for the future should be qualified with the doubts, with the delays, and

with the difficulties to be surmounted before they can possibly be realized.

I will now, with the leave of the House, read the resolutions which I propose to submit to the House for its consideration.

1st. "That it is expedient to adopt effectual and decisive measures for ameliorating the condition of the slave population in His Majesty's colonies.

2nd. "That, through a determined and persevering, but at the same time judicious and temperate, enforcement of such measures, this House looks forward to a progressive improvement in the character of the slave population, such as may prepare them for a participation in those civil rights and privileges which are enjoyed by other classes of His Majesty's subjects.

3rd. "That this House is anxious for the accomplishment of this purpose, at the earliest period that shall be compatible with the well-being of the slaves themselves, with the safety of the colonies, and with a fair and equitable consideration of the interests of private property."

If the House should be inclined to adopt these Resolutions, I shall then follow them up with moving,

4th. "That the said Resolutions be laid before His Majesty by such members of this House as are of His Majesty's most honourable Privy Council."

There now remains but one point, which, after having so fully expressed my sentiments to the House, I am peculiarly anxious to impress upon its consideration: I mean the mode of execution, the manner in which the Executive Government would have to act in respect of these Resolutions, in the event of their adoption. The House is aware, that over certain of the colonies in the West Indies, the Crown exercises immediate power, without the intervention of any colonial legislature. In their case, the agency of the Crown, of course, will be more free and unfettered than in colonies having their own separate government. At the same time, I must declare, that we have a right to expect from the colonial legislatures a full and fair co-operation. And, being as much averse by habit, as I am at this moment precluded by duty, from mooting imaginary points, and looking to the solution of extreme though not impossible questions, I must add, that any resistance which might be manifested to the express and declared wishes of Parliament, any resistance, I mean, which should partake, not of reason, but of contumacy, would create a case (a case, however, which I sincerely trust will never occur) upon which His Majesty's Government would not hesitate to come down to Parliament for counsel.

I will not prolong a discussion (which it has been my object to bring to a close) by any general reflections further than this, that giving every

credit as I do to the motives which have actuated the honourable gentleman, I am sure he will feel that it is perfectly consistent with a complete sympathy with his moral feelings, and consistent equally with my duty, that I should look at this subject more practically, more cautiously, and more dispassionately, and (if the honourable gentleman will permit me to say so much) more prudently than the honourable gentleman; whose warmth, however, though I must not imitate, I do not mean harshly to blame.

And further, I would assure those whose interests are involved in this great question, that whatever may be result of the present discussion, I and my colleagues are not more anxious, on the one hand, to redeem the character of the country, so far as it may have suffered by the state of slavery in the colonies, than we think ourselves bound, on the other, to guard and protect the just interests of those who, by no fault of their own—by inheritance, by accident, by the encouragement of repeated acts of the legislature—find their property vested in a concern exposed to innumerable hazards and difficulties, which do not belong to property of another character; such as, if they had their option (as their ancestors had,) they would, doubtless, in most cases, have preferred. If they have stood these hazards, if they have encountered these difficulties—and have to stand and encounter them still—we may not be able to

secure them against the consequences of such a state of things; but at least we have no right to aggravate the hazards or the difficulties which we cannot relieve.

The original Resolution was then withdrawn; the Speaker next put the question upon Mr. Canning's amendment, which was carried *nem. con.;* and it was ordered, "That the Resolutions (proposed by the right honourable Secretary) should be laid before His Majesty, by such members of this House as are of His Majesty's most honourable Privy Council."

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.

FEBRUARY 3rd, 1824.

The SPEAKER having reported the speech of the Lords Commissioners and read it to the House:—

Mr. ROWLAND HILL moved, and Mr. J. DALY seconded an Address, which was an echo of the speech. After Mr. Brougham had addressed the House, in a speech of his wonted ability, animadverting upon the topics referred to in the following reply:—

Mr. SECRETARY CANNING* said he rose with some degree of diffidence, because he had not previously intended to present himself to the House immediately after the honour-

able and learned gentleman (Mr. Brougham), in consequence of the impression created by a rumour which he had heard, namely, that it was the intention of some honourable member on the other side to propose an amendment to the Address. However, as that intention seemed not to be entertained, and although the honourable and learned gentleman had thrown no obstacle in the way of that practical conclusion at which he believed the House would arrive, yet there were some points in his speech, which it would be neither respectful to the House, nor just towards His Majesty's Government, to pass over in silence. Whatever might have fallen from the honourable seconder, which appeared objectionable to the honourable and learned gentleman, he must request, in fairness, that the whole of the speech from the throne should be considered together—that it should not be taken in its separate topics, but should be viewed with reference to the general tenor of the matters under consideration, and to the general state of the country in all its relations. He entirely agreed in the sentiment, that the present was not the moment to consider, with the best advantage, or with reference to the immediate business of the day, the by-gone question of the policy which had been adopted towards Spain. That question must refer solely to the Address carried in the last session of Parliament—he need not say with how large a majority, or with how general a concurrence of the public voice throughout the country. The policy then recommended had been strictly adhered to; and the events which were then in progress had now been brought to a conclusion. It was impossible for the speech from the throne to omit all notice of that subject; and it was equally impossible to have noticed it in a manner less calculated to revive extinguished feelings, or to excite any of those angry emotions to which the introduction of such a topic might be sup-

posed to lead. He was not inclined to follow the criticism of the honourable and learned gentleman, who had gone over the whole of the speech of the honourable seconder; situated as he was, any other person would be more proper to undertake that task than himself; and therefore he should not enter into a discussion as to the causes to which were to be attributed the failure of the efforts which had been recently made in Spain. God forbid that he should exult over those who had been discomfited! God forbid that he should utter an unkind sentiment towards those who were now mourning in anguish over their defeated hopes, and whose misfortunes no individual talent, virtue, or exertion, could avert! Undoubtedly, the issue of that contest must have been seen to depend on events and circumstances which no human being could estimate with certainty or confidence. One great consideration was, the degree of support which the existing constitutional system was likely to receive from the feelings and affections of the people of Spain—that people on whom it had always been said so much dependence might be placed. As this country had not any thing to do with the struggle, as His Majesty's Government felt that a strict neutrality was the wisest and best course to pursue, he was prevented from stating what the opinion of Ministers were with respect to that constitutional system. He was not desirous to point out its defects —he was not desirous to point out its unfitness in many respects for that country—he was not desirous to point out how far it was unsuitable for monarchical and Catholic Spain. It had failed; and with its failure a state of things had grown up, respecting which, standing in the situation he then held, he would not utter an opinion. It was, however, satisfactory to state, that, in the contest for its establishment, no British army, no British navy, no British treasure, was employed. So far as this country was con-

cerned, the Spanish people were left to act for themselves.

Then came the question, for what purpose were they to have interfered, and to what extent was that interference to proceed? Now, it was not merely necessary that they should send fleets, and armies, and supplies to Spain; but, to have been of use, they must also have carried into that country, unanimity, firmness, and confidence—qualities, of all others, which strangers never carried into a state where they were about to employ their arms—qualities which money, fleets, and armies having been supplied, the people must, after all, acquire for themselves. Now, if unanimity and confidence, requisites so necessary for carrying on the contest, did not exist, was it possible, even with our assistance, that the effort to establish the constitutional system could have succeeded? or that any thing beyond a protraction of the struggle would have been effected? But the honourable and learned gentleman had connected the affairs of Spain with another question, which was not yet decided; and he had declared, that he could not understand how it was possible that this country could raise a barrier against the invasion of Spanish America by a foreign state, unless she was prepared to exert her power against the war which France was waging with Spain. But the distinction was very plain. Precisely on the same principle that they determined not to consider the internal affairs of Spain as a fit subject for their interference, they would be justified in preventing foreign powers from interfering with the affairs of the colonies. They must consider the mother country and the colonies according to the peculiar circumstances of the case; and he must say, that there never had been an instance in the history of the world, where the separation of the mother country and the colony had taken place, where a neighbouring state had not a clear right to

exercise its judgment on the question of recognition. Undoubtedly, the mother country might protest against that recognition; and it was equally clear, that the foreign power, while in a state of friendship with the mother country, had no right to give that aid to the colony, which was not recognition, but support and encouragement. It might be difficult to state the point where the period of recognition should commence—where the recognition would not be connected with previous encouragement, and where to withhold it would be unjust. But when that period arrived, it was not the state in which the mother country then stood that should influence the decision. It must rest on its own peculiar grounds, without taking into consideration whether the Constitution of the mother country was a mitigated monarchy, as was the former Constitution of Spain, or a monarchy of a more absolute and unlimited nature. The question, he repeated, must be decided on its own special merits, and with no reference to the constitutional changes which Spain herself had undergone. If they were prone to deal with others as others had dealt with them, there would be no necessity for so much caution and forbearance. They had only to look back to the loss of their own colonies in America, and they would see that others did not hesitate to deal with them in a manner very different from that which they had adopted. But, not to do precisely as we have been done by, but to do as we would be done by, was the true political as well as moral maxim.

The honourable and learned gentleman had observed, that if they were now to recognise the independence of South America, they would only be following the example which had been set in another quarter, alluding to the message of the President of the United States. In some of the principles laid down in that document he entirely agreed; and he might be permitted to say, that long before the message was sent forth, it was distinctly admitted in

the state papers of Great Britain, that the question between the mother country and the colonies was not a fit subject for foreign interference; but he did not agree in the principle, that the parent state had not a right, if she could, to recover her own colonial dominions. [Mr. Brougham motioned that such a principle was not laid down.] In the paper to which the honourable and learned gentleman referred, there was a passage which many individuals construed in that way, and he certainly understood the honourable and learned gentleman so to have construed it. He was clearly of opinion, with the President of the United States, that no foreign state had a right to interfere, pending the dispute between the colonies and the mother country; but he was as strongly of opinion, that the mother country had a right to attempt to recover her colonies if she thought proper. At the same time, he was not blind to the difficulty of making such an effort with any prospect of success. Looking to the question in this point of view—and he thought it was the correct one—it appeared to him that it would be unkind, unjust, unfair, and, he would add, ungenerous, if this country had not afforded an interval to allow Spain an opportunity of selecting that course which appeared to be most beneficial for her colonial interests. He contended that Great Britain would have acted unfairly and ungenerously, if, while Spain was convulsed by a dreadful struggle, while the whole force of the country was absorbed in a civil war—(one of the parties in that war having called in a foreign army)—that Great Britain would, under such circumstances, have acted unfairly, if she had taken advantage of this untoward state of things, to make an inroad on the colonial possessions of her ally. Even if the time and opportunity had been wholly lost by the delay, still he must rejoice that they had been suffered to go by, and that nothing had been attempted to be done

until Spain was as much in possession of herself, after the confusion into which she had been thrown, as it was possible for her to be. Even on that part of the speech from the throne, he thought the honourable and learned gentleman would bestow his approbation, if he calmly considered it. What was there stated? Ten months ago, in a paper laid on the table of that House, it was stated that the situation of those independent states depended in a great measure on external circumstances. Now, after a lapse of ten months, when Spain was restored to her power as substantially as she could be, under her peculiar circumstances, came this speech from the throne, which told the House, "that His Majesty had reserved to himself an unfettered discretion of acting towards those colonies, as their circumstances and the interests of his own people might appear to require." The honourable and learned gentleman surely did not want his (Mr. C.'s) interpretation of this passage: he knew the meaning of it to be, that His Majesty had declined overtures for any joint consideration of this subject—that he had kept his discretion completely unfettered on a question in which he felt that the interests of his people were concerned—that he had entered into no compromise, and was perfectly at liberty to act "as the circumstances of those countries and the interests of England might require." What more could the country desire under these circumstances, but that a question of such magnitude should be temperately and fairly considered? He would appeal to any man, however eager he might be for the accomplishment of his wish in this respect, whether they had not acted wisely towards themselves and generously towards Spain, in allowing this delay? Was it not just that a pause should be granted to the parent state, during which she might have the advantage of learning the sentiments of the different powers of Europe? Could any one

doubt, that by allowing this pause, by suffering this subject to be temperately discussed, by giving an opportunity to Spain herself, perhaps, to acknowledge the independence of those states, they did not bestow a greater boon on the colonies themselves, than the immediate recognition of England would bestow on them? And would not such a pause render any step which they might themselves hereafter take more proper and more efficient? Would it not appear to be such a step as might be justified both in the eyes of God and man, as the best and most prudent that could be adopted? Such, really, was the fact, precisely as he had stated it. A proposition had been made by the Government of Spain to the Government of this country, and an answer had been returned. That answer was on the road to Madrid; and after it had been disposed of, the time would arrive when Government would be enabled to speak with more explicitness on the subject.

He did apprehend, with the honourable and learned gentleman, that of all the topics on which the speech from the throne touched, this was the most important. He might perhaps say, except one—on which, as the honourable and learned gentleman had not noticed it, he should also remain silent, as he had no wish to provoke unnecessary discussion. He believed that the subject of the South American colonies was so prominent in the minds, the feelings, and the wishes of the country, that he was perfectly justified in putting it forward as he had done, in the little with which he felt it necessary to trouble the House. As to the general question, with respect to the station in which this country stood towards Europe and the world, he would make a very few observations. He said "Europe and the world;" and in using that phrase, he felt that it was perfectly applicable to the time in which they lived. When he spoke of Europe and the world, the phrase had reference

to Europe and America—the old world and the new—the different interests of which must be nicely balanced by every person who wished to attain the character of a British statesman. He could not take to himself the praise which the honourable seconder, in addressing himself to this point, had conferred on the Government; but he must, on the other hand, repel the blame which the honourable and learned gentleman had cast on His Majesty's Ministers, and contend, that England stood in as proud a situation to maintain her just rights—to maintain her own proper interests—that she was as much courted, as much respected, and that her opinion was as anxiously desired by other powers as had ever been the case. He agreed, indeed, in the observation of the honourable and learned gentleman, that she was not now in the same state as she had been in some other periods of her history. But why was this? Because the whole state of the world had changed —because (whether right or wrong, he would not inquire) there were now great preponderating powers which possessed within themselves more strength and resources than they could command in former times—more strength, perhaps, than ought properly to belong to them; but as those elements were in being, they were compelled to deal with them in proportion to their weight and importance in the general system. His Majesty's Ministers had been taunted for the patience with which they had viewed the conduct of those powers—they had been taunted on account of the internal abuses which existed in those countries; but he should be glad to know at what time it was customary to interfere in the internal regulations of foreign states? He would look back to the reign of King William or Queen Anne, and he would ask if an alliance were then made with the Emperor of Germany or with the most despotic prince that ever sat on the throne, whether their ancestors

would have criticised the conduct of those who had carried on the negociation, because they had entered into a compact with the sovereign of a country, the constitution of which was different from their own? They could not alter the constitution of state. They could not make a new world. They could not form another world "of one entire and perfect chrysolite." They must deal with the world as it was—they could not figure and fashion it to suit their own convenience. Was it policy, he would ask, to hold no communion except with states which possessed free constitutions? If it were so, then our alliances must be extremely narrowed indeed. If there were to be no alliance with those who were termed despots, would they ever have been able to have overthrown that colossus of despotism, before whose throne almost the whole world had bowed the knee?

The honourable and learned member had stated, that things were going on in Austrian Italy which were sufficient to make one's blood curdle and run cold. He (Mr. C.) confessed he was ignorant of the particular transactions; but he believed he knew sufficient to direct his mind to the proceedings to which the honourable and learned member alluded. Trials for conspiracy, he understood, had taken place at Milan, convictions had followed, and sentences had been pronounced. The testimony might be false; the witnesses might have been perjured; the judges might be corrupt. He did not know that this was the case, but he would even assume it to have been so; and even if it had been so, did the honourable and learned gentleman mean to say that this country was therefore to break off all communication with Austria? What was to be done, he wished to know, with Austria, in the view of the honourable and learned gentleman? How was the gap which her absence would leave to be filled after we had lost her? Were we to abolish

her as a power, or to take up arms against her, because her internal arrangements did not meet our approval. This was surely too absurd and extravagant a proposition to be listened to. Let us rather maintain all our external relations, and preserve our connection with the great powers of Europe, with reference to the *corpus imperii*, on broad and general principles of state policy, without examining too minutely into abuses which may exist in foreign Governments, or into practices which our better Government and happier institutions enable us to criticise with asperity, or denounce with abhorrence.

He believed, however, that the honourable and learned gentleman had been greatly misinformed in some of the circumstances to which he had adverted. He perfectly well knew, that about twenty of the chief persons concerned in the conspiracy at Milan, of whose guilt or innocence he did not pretend to offer any opinion, were convicted and condemned to death, upon their own confession; and he knew also, that the Emperor of Austria had extended to them his mercy, not without a struggle against the opinions of some of his advisers, who thought that the interests of the empire would be endangered by that extension of mercy. As to the particular statement made by the honourable and learned gentleman, with respect to the relation of one of the culprits, he could say, with all sincerity, that he was ignorant of the transaction to which he alluded; but if the honourable and learned gentleman imputed to the Austrian Government any undue severity, in the administration of the law on that occasion, he conscientiously believed that he was mistaken. The honourable and learned gentleman had proceeded to allude to other malpractices which existed in the Austrian Government, and to comment with much severity on imprisonments, and dungeons, and on the cruelty of extorting confessions; but the honourable and learned gentleman did not seem to be aware that, by the law in that country, sentence

could not be executed on a criminal unless he confessed his guilt. To us this might seem a very absurd law, as it was constantly the practice in this country to hang criminals who died protesting their innocence, and we did not think confession necessary; yet, on the first statement of the law, as it existed in Austria, it could not be denied, that it seems to be rather a humane provision than otherwise. He believed it to be an absurd provision; because the confession must either be unfairly extorted, or, if the proof was sufficient without such confession, it was unnecessary. He did not, however, think it was quite fair to state the fact, that these persons were goaded on to confession, without also stating the fact that, by the Austrian law, sentence could not be executed on a criminal without such a confession. He did not wish to be considered as advocating the expediency of such a provision. He did not deem it a part of his duty to vindicate the laws of a particular state, with which we were politically connected. He did not feel it to be his duty to make himself master of the details of a particular trial, which might have taken place in that state. But if other nations were to judge of us, as the honourable and learned gentleman was now judging of the Emperor of Austria, with what barbarity and coarseness of f ling might they not charge us, when they referred to what they had all witnessed, with so much disgust, during the last three months? He alluded to the recent trial and execution at Hertford. What imputations might not be cast on the national character, if they judged of us as critically as the honourable and learned gentleman was now judging of the Emperor of Austria, when they read the eulogiums which had been published in this country on a hardened, unconfessing, convicted murderer? Would it be fair to make use of this transaction, as an argument to impeach the national character of this country? What would the

honourable and learned gentleman think, if as a *pendant* to the picture which he had drawn of the trials at Milan, the transactions at Hertford were to be critically commented upon in a foreign assembly, and converted into an argument against the character of the British people? Such an argument would be quite as fair, and quite as much to the purpose, as the argument which had been employed by the honourable and learned gentleman.

The next point to which he would advert, and he should do it in a word, was the observation of the honourable and learned member upon his question last session, on the subject of Switzerland. The answer which he had given to the honourable and learned gentleman's question, he had given at the time, in perfect sincerity; and when the honourable and learned gentleman said, that he ought to have been better informed, by so well paid a mission, upon the subject, that argument certainly did not apply *ad hominem*, whatever other merits it might lay claim to. If the quantity of information derived, was to depend upon the payment of the mission, he, upon that principle, ought not to have been informed, for he had reduced the costs of the mission by one-half. In point of fact, however, he had not been informed in the slightest degree as to the reports in question, when he had given his answer to that effect, to the honourable and learned gentleman, and it was only on going to his office, about a quarter of an hour after, that he had found the same detail of facts upon his table, which the honourable and learned gentleman had opened in his speech, coming, perhaps, from the very same source from which they had come to the honourable and learned gentleman. As to the reports of an Austrian prince having been in view at any time for Switzerland, he believed there was not a shadow of a foundation for the story. For the charge of harbouring conspirators, and the remonstrances, he would say

only thus much, that if the accusations had been true, the remonstrances were justifiable. But he believed, that both the honourable and learned gentleman and himself, had been misled in what that statement of facts, as it was called, contained; and that a great part of the stories circulated abroad, had been founded upon the solicitations of ill-disposed persons in Switzerland herself, who desired—and there were some whom he knew to be capable of such a purpose—who desired to bring the great powers of Europe upon their country; because they themselves, in the objects of some particular faction, had been defeated. The more he reflected upon the subject, the more he was convinced that such had been the fact; and as to the Austrian prince, he believed such an idea had never existed but in the brain of the drawer up of those state papers which had furnished him with his information as well as the honourable and learned gentleman opposite; and had, in fact, teased every court in Europe which would take the trouble to look at the writer's lucubrations.

With respect to Germany herself, as regarded those circumstances upon which the honourable and learned gentleman had commented, he certainly could hardly conceive a more inconvenient arrangement, than that power of the German diet to interfere with all the states of which Germany was composed. But the independent state (Wurtemburg) to which the honourable and learned gentleman alluded—this independent state, which had been interfered with, was part, let it be recollected, of the German federation. He himself thought the principle was bad; but it was not fair to call an application of it a flagrant outrage. The power in question might, or might not, have been exercised improperly, as regarded a particular state; but still it was the law. And, even under any circumstances, was it to be said that, wherever there had been an improper interference

with a paragraph in a newspaper, we, England, were to blot out of the map of Europe, that state, and to say we would have no alliance with it? The honourable and learned gentleman must give up the old world, and look only to the new, if he meant to establish any such a principle. He knew that it was maintained by some, that England ought to set herself up as a barrier for all Europe, against principles of a despotic tendency; but he could not be persuaded that it was the policy of England to do lightly any act which might plunge herself and all Europe into a bloody and unceasing war. Of all the wars—and unhappily we had experienced but too many varieties of them—of all the wars which we had seen, and which had brought desolation in their train, the wars of opinion had been decidedly the most fatal; and a single spark, flashing unhappily from the hasty zeal of England, might light up a conflagration on the Continent, which no after exertions could extinguish—might lead to a contest of opinions and principles, which would divide all the nations of Europe, and only terminate, probably, with the total destruction of one of the contending factions. Was this, then, an object for England to aim at? Was this to be laid down as the intent by which Ministers were to regulate their conduct? Or, might they be allowed to say, that their object was peace, be the component parts of that peace more or less perfect?—to see England moving steadily on in her own orbit, without looking too nicely to the conduct of the powers in alliance with her—to see her content with her own glory, and by that glory exciting other nations to arrive at the same advantages which her peculiar system had bestowed upon her; but not, by a wild crusade, or endeavour, to force those advantages upon free countries, converting blessings into curses as respected them, and courting danger and difficulty as regarded herself? It was

this course which he took to be the true policy of England. It was with this view to peace, while peace might be maintained, that His Majesty's Government had acted, and were prepared to act. But it did not follow, because they forebore to seek for difference, that, when it came, it would not find them on the alert; or that the strength which had slumbered would be the less effective when called into action. He did not know that, in what had fallen from the honourable and learned gentleman opposite, there were any other points on which he needed to detain the House; but he would just say a very few words, with reference to those observations respecting Ireland, which had been made by the honourable seconder of the address, at the conclusion of his speech. With regard to Ireland, he wished it to be understood, that his sentiments were what they had ever been. He retained all his old opinions with respect to that great question: and fully believed, that, sooner or later, those opinions would make their way in that House; but he differed from the opinions which had been laid down by the honourable and learned gentleman opposite. There was no word, which, in parliamentary oratory, was more bandied about than the word "inconsistency;" and, in general, the person who charged another with that offence, did not measure the consistency of the accused by his own, but by some arbitrary standard that he had chosen to set up. Now, it might be an absurd opinion to hold, that, in the present state of public feeling in England, the Catholic concession could not (to use the common parlance) be carried as a "government question;" and that the public men of the country did not afford the materials for an Administration, united upon that point, and upon other questions of paramount importance. But, if that opinion of his was absurd, it was not an opinion of the present day; it was the opinion which he had always expressed in that House;

and "inconsistency," as he took it, was the differing, not from others, but from one's self. The honourable and learned gentleman, however, on the opposite bench, and another individual in another place, had thought it expedient to charge him with inconsistency in his conduct with respect to the Catholic Question; and, by rather a whimsical choice, they had both laid hold of that particular period of his public life, in which he had enjoyed the best opportunity for showing what his sentiments upon that question really were. It was said of him, that in the year 1812, he had been willing to become part of an Administration, which was to consist of the Marquis of Wellesley and himself, and other gentlemen on the same side of the House; that that Administration would have been an Administration united upon the Catholic Question; and that therefore it was inconsistency for him to act with any Government otherwise constituted. Now, whoever might be the historian that had referred to this passage of his (Mr. C.'s) life, he had looked, by some accident, at only part of the transaction. If he had examined one side of the page as carefully as he had the other, he would have found (continued the right honourable secretary) "that, in the year 1812, when His Royal Highness the Prince Regent was graciously pleased to instruct the Marquis Wellesley and myself to form a Government, the stipulation of Marquis Wellesley had been, that he should make proposals to some of the gentlemen on the opposite side, and my stipulation—what was it? Was it to exclude the Protestant faction, as it is called, altogether? No; but it was that I should be at liberty to make similar proposals to Lord Liverpool, which accordingly I did." Such, then, had been his (the right honourable secretary's) expression of his opinions; not when he had been called upon to join a Government, but to form one. It was true, that Lord

Liverpool and his friends had declined taking office with that Government; and also that he himself had not thought it necessary, upon that refusal, to give the thing up altogether: but his choice had been a Government composed of mixed elements; and his opinion was still, that if the Catholic Question was to be carried, it would be carried by an Administration which made it, not a government question, but a general one. He did still hope that the prejudices of Englishmen might in time be reasoned down; and that in time the Catholic Question might find that support in the country which, he was sorry to say, he did not think it found at present. But, by whatever hand, or whatever period, that question should be brought forward, it would receive from him, whether in or out of office, the best support which he was able to give it. But it would still find him believing, that nothing was to be gained by attempting to carry the point in the way of a government question; and that (if that were necessary) there did not, moreover, exist materials at the present moment sufficient to form an Administration concurring upon that subject, and upon others also on which it would be necessary for them to agree.

He had said, and he meant to keep his word, that he would not travel into any part of the speech from the throne, which had not been touched upon by the honourable and learned gentleman. There was one most important point in it, which he should therefore leave at rest, feeling that it was not because its value was underrated, that it had for the present been passed over by the gentlemen on the other side. The speech of the honourable and learned member opposite, had gone chiefly to matters of foreign policy; and he had endeavoured to explain to the House the course which, upon that head, Government had pursued. The speech from the throne contained an account by Ministers

of their stewardship, and of the policy which they had pursued since the House had last met; and if, upon that statement, they did not come forward to challenge approbation, at least they were prepared to meet criticism without dread or apprehension.

The Address was agreed to *nem. con.*

DELAYS AND EXPENCES IN THE COURT OF CHANCERY.

FEBRUARY 24th, 1824.

Mr. J. Williams this day submitted the following Resolution:—"That a Committee be appointed to inquire into the Delays and Expences in the Court of Chancery, and the causes thereof."

Mr. Secretary Canning* observed, that after the recommendation with which the honourable and learned gentleman who had just sat down, had concluded his speech, it was not his intention to trespass long upon the time and patience of the House. But, as the speeches of two of the honourable and learned members who had followed his right honourable colleague, the Secretary for the Home Department, appeared to turn almost entirely upon the effectiveness and sincerity of the proposed commission, he thought that it would be satisfactory not only to the House, but also to the country at large, to have an assurance, not only on the part of the noble lord who was thought to be most interested in this question, but also on the part of others of His Majesty's Ministers—an assurance which, for his own part, he most willingly gave—that the inquiry into which that commission was to enter should be as sincere,

as impartial, and as effectual as it was possible for man to make it. Even if any disposition existed to trifle with so important a subject, honourable gentlemen must be aware, that no Government, in the present enlightened state of the age, could, after consenting to institute an inquiry, conduct it in such a manner as to prevent it from arriving at a salutary and beneficial result. He, therefore, was of opinion, that to anticipate a satisfactory and auspicious conclusion to the labours of the commission, would be more consistent with candour and good feeling, than to augur nothing but disappointment, mockery, and deception. The points into which the commission would be more particularly instructed to inquire would be, first, whether it was possible to lessen the time consumed; and, secondly, whether it would be possible to lessen the expence incurred, by suits in equity. The third point, which was, perhaps, the most important of all, would be, whether any portion of the business now discharged by the Lord Chancellor of England, could, without detriment to the public, be turned over to any other; and if to any other, to what public officer? These points would form the principal subjects into which the commission would have to examine; and he now stated them, not with any view of giving an opinion as to the results at which it was probable that the commission might arrive, but with a view of assuring the House, that into each and all of them examination would be instituted, in a spirit of most perfect sincerity, and with the most anxious desire on the part of Government to give full effect to any recommendations which it might conceive necessary to make.

With regard to the constitution of the commission, upon which, after what had fallen from the honourable and learned gentleman who had spoken last, he might be expected to offer a few remarks, he would simply observe,

that though it might not be difficult for him to describe the elements, still it would be difficult for him to name the exact individuals of which it was to be composed, because some of those persons on whom Government might be inclined to impose this duty might, for various reasons, be not altogether disposed to undertake it. This, however, he could state, that it was the desire of Government to place in this commission individuals who were best qualified, by their age, knowledge, and long experience in legal matters, to discharge its functions ably and effectually—who, from their rank in life, would be enabled to declare their opinions without fear, favour, or partiality, and who, from their past services to the state, would have authority sufficient to recommend their decisions to the favourable consideration of the House and the country. The honourable and learned gentleman who had spoken last, after hinting his dislike to this commission, and his doubts as to its efficacy, had cursorily observed, that he should like the scheme of it better, were it to comprehend within its range the various abuses in the courts of common law. He asked the House whether, if his right honourable colleague's proposition had gone that length, it would not have been asserted that the object of it was to divide blame by diffusing it over a larger surface, and to encumber inquiry by multiplying the subjects to which it was to be directed? His right honourable colleague had confined the inquiry within the limits he had mentioned, in order to render it more effectual; not precluding the like inquiry into any other part of the system that was encumbered with the same defects, but directing it to certain defined and positive evils, in the hope of being better enabled thereby to remedy and remove them. In doing so his right honourable friend was but fulfilling the intentions of the different members of His Majesty's Government; and the House might,

therefore, rely, not only on the proper formation of the commission, but also on the proper execution of its duties, especially when it recollected, that over both it could exercise a most speedy and efficient controul.

As he had said thus much upon the formation of the commission, he conceived that it would be most unfair to the noble and learned lord who was at the head of the Court of Chancery, to let it be supposed that the project of this commission had originated from any wish on his part to elude the present motion. It was not always prudent to examine too deeply into the springs of human action; in most cases it would be seen that the noblest deeds had sprung out of motives of a mixed nature. He would not, therefore, say that this commission would have been formed had the subject of it never excited parliamentary discussion: but this he would say, that it had not been devised to meet the peril of the present day, or to get rid of the present motion: on the contrary, the date of its being first thought of was as old as the report of the House of Lords last year, in which the very elements of the present inquiry were distinctly pointed out; in which this very scheme was almost expressly mentioned; and with which, as the object of it more particularly fell under his department, his right honourable friend and colleague had been occupied during the greater part of last summer. Had the formation of this commission been announced to the House at the time that the honourable and learned member for Lincoln gave notice of his present motion, His Majesty's Ministers would have been exposed to the same imputations that were now thrown out against them, and also to the additional imputation, that it had been announced because they were afraid to meet the motion on its intrinsic merits.

It was only due to the honourable and learned member

to state, that the tone of his attack had greatly facilitated the object which he had in view. With one exception, to which he should hereafter have occasion to recur—namely, the plan of the honourable and learned member for separating the legal and political character of the chancellor—there was scarcely any topic in his speech to which he should object; indeed, no speech, that was necessarily of an accusatory kind, could have been more successful in leading to the issue to which the House seemed inclined to come, than the speech which the honourable and learned member had that evening delivered. He was himself sure, that even those who had come prepared to attack the Lord Chancellor with all the artillery of eloquence, would be rejoiced to find that at present it was unnecessary. Every man, who was really anxious to shorten the delay, and to simplify the practice, of the Court of Chancery, would feel satisfied in gaining his object, without assailing the character of the judge who presided in it; and would see, that to pursue his object further at present would be inconsistent with the conduct of a public spirited man, and would savour too strongly of individual persecution. The House would on that account be more and more satisfied, on reflection, with its decision of the present evening; and would even now feel no slight pleasure in recollecting, that the character of the individual who had so long filled the high office of Lord Chancellor, would stand as unimpeached and unblemished at the close of his long and valuable career, as it had done at its commencement: and that, whatever might be the result of the inquiry, no matter whether Lord Eldon was to be the last Chancellor of England who was to unite in his own person all the different functions which now belonged to that high office, or whether any means should be devised of collecting them into one effective whole, and bestowing them on a single individual—a consummation which he would much

rather witness, than a separation of them held by different officers—he would stand before posterity with unsullied fame, and with the enviable reputation of having discharged his arduous duties in such a manner, as to entitle him to the applause and admiration of all his contemporaries. He could not quit this subject without again remarking, that there was one point in the speech of the honourable and learned member for Lincoln, from which he differed most widely. He could never wish to see the legal and political character of the Lord Chancellor of England made distinct and separate—considering, as he did, that in the appointment to that high office, one of the proudest distinctions of the British monarchy had long existed. On a former occasion, when the creation of an auxiliary tribunal to the Court of Chancery was under discussion in that House, from which he acknowledged that he had predicted that much evil and inconvenience would ensue, but regarding which he could not say whether his predictions had or had not been verified, from want of information on the subject—on a former occasion, he asserted, that he had declared his opinions to be inimical to the separation of the two characters of the Lord Chancellor. He thought that it was one of the noblest and most valuable prerogatives of the crown of England, that it could take from the walks of Westminster Hall the meanest individual—and when he used the word meanest, he used it not with reference to talents and intellectual endowments, but to birth and original station in society—and place him at once in the head and front of the peerage of England; and he never wished to see the day when the crown was deprived of that beautiful prerogative, which, though it formed the very essence of the monarchy, was, at the same time, the surest support and bulwark of the democratic part of our Constitution. It was not, therefore, for the sake of Lord Eldon, much and highly as he

respected that venerable nobleman, that he objected to the separation of the legal political functions of the Chancellor; but it was with a view of preserving to the monarchy one of its most ancient and invaluable prerogatives—of keeping open the passage from the court of *pie poudre* to the woolsack, and of leaving to the gentlemen of the bar the opportunity of giving to the crown their best services, and to the crown the opportunity of finding for them an adequate and suitable reward. For his own part, he could not see any objection to the union of the two characters in the same individual, especially as they were far, very far from being inconsistent with each other. When the advocates for their separation told him that they saw a great objection to the making a political character a judge, he was inclined to ask them, what the situation of the country would be, supposing that there were placed at the head of the hereditary magistracy of the land, an individual unacquainted with its laws and institutions. Would not such an occurrence lower the respect in which they were now universally held throughout the country? And, if it did lower the standard of the magistracy and the dignity of the peerage, would it not be inflicting a severe and permanent injury on the Constitution, instead of correcting one that was comparatively trivial and temporary? It had not occurred twice in the history of our country, that the cold impartiality of the judge had given way to the warmth of his political passions; and if, in the long night of ignorance in which so much of our annals were involved, not more than two instances of this judicial profligacy could be discovered, he thought that he was not too bold in saying, that at an era so intelligent as the present, such instances were not likely to occur again. To avoid, however, a contingency which he contended was remote and improbable, it was now proposed to convert the Lord Chancellor into a mere lawyer; to destroy all the

ancient grandeur and dignity of his office; and to degrade, as much as possible, the race of men from which it had hitherto been usual to select that ancient and distinguished officer. To such a proposition, he had formerly felt, and he still continued to feel, the strongest aversion. Differing, therefore, as he did, upon this important point, from the honourable and learned member for Lincoln, he could not consent to allow the commission to direct its inquiries to the propriety of separating the legal and the judicial functions of the Lord Chancellor. As he agreed in almost every other point with the honourable and learned member for Lincoln, he had thought it necessary to speak rather more fully on the only point upon which he differed from him. As to the object of the commission, the honourable and learned member and himself fully concurred. It was to shorten the delays, simplify the proceedings, and diminish the expence of the Court of Chancery. The right honourable gentleman then concluded, amidst general cheering, by again rejoicing that the personal character of Lord Eldon, of which he spoke in terms of the highest eulogy, had been treated with the respect due to it by every member who had taken a part in the debate.

The motion was withdrawn.

COMPLAINT AGAINST THE LORD CHANCELLOR (ELDON).

MARCH 8th, 1824.

Mr. Abercromby this day complained of an unwarrantable attack made on the freedom of debate by the Lord High Chancellor of England. The *gravamen* of the complaint was, that the Lord Chancellor had applied the term "utter falsehood," to a statement which Mr. Abercromby

was erroneously represented, in one of the public newspapers (*The Morning Herald*), to have made respecting certain practices in the Court of Chancery.

Mr. Secretary Canning said:—Sir, there is no man who heard the honourable and learned gentleman's speech—no member of the profession to which he belongs—no one of the friends by whom he is surrounded, who is ready to make more allowance than I am for the feelings which he has evinced, or to render a more sincere tribute of praise for the moderation and propriety with which he has expressed them. He has displayed an anxiety that is highly creditable, to free himself from an imputation which, as far as my testimony goes, he is not subject to; for, without being enough of a professional man to be aware thoroughly of the importance of the distinction between what the honourable and learned gentleman stated the other night, and what he elsewhere was understood to have stated, I can most unequivocally declare that, in his argument that night, the impression on my mind was that he did not go out of his way for the purpose of throwing imputations on the Lord Chancellor, or of making what has happened in the Court of Chancery matter of individual blame, and not the result of a faulty system. Such, Sir, was the impression on my mind; and if my testimony had been required, I should have been as ready to state

elsewhere, as I am to state here, that there was nothing uttered by the honourable and learned member, on that occasion, which went beyond the fair line of discussion, or which could justifiably furnish a ground of personal offence. Admitting this, Sir, I can feel also, that the honourable and learned gentleman, strong in the recollection of his purpose at the time, and of his mode of executing that purpose, could not have avoided feeling surprise and indignation at finding his speech stamped with terms of so gross a character as those which have been applied to it. But, Sir, in his statement to the House, the honourable and learned gentleman has dropped one link of the transaction; he has dropped the consideration, whether what he said justifiably, was reported correctly to the Lord Chancellor, as if there could be nothing in the channel in which what was said here was conveyed to the noble and learned lord, which might have perverted its meaning. Here again, as an unlearned person, I must remark, that I am not capable of discriminating the difference between what has been reported, and what the honourable and learned gentleman actually said; but those on whose knowledge of the subject I fully rely, assure me, that, while, in the speech actually made by the honourable and learned gentleman, there was nothing of which the Lord Chancellor could justly complain; yet, in the report conveyed to the noble lord, there

was that colour given to the honourable and learned gentleman's observations, which, though not materially different to an unprofessional eye, was false and incorrect, and calculated to excite in the breast of the judge to whom they referred, the same feeling of indignation for which he had made a not less generous allowance, when manifested by the honourable and learned gentleman. What then, Sir, is the conclusion to which the honourable and learned gentleman comes at last? That whatever is said here, and misrepresented elsewhere, affecting any person, high or low, the person against whom it is directed must put up with it quietly and unresistingly? Sir, if there be any fault in what has happened, the fault is in our own practice, or rather in our own connivance; a fault which I do not indicate with any wish to see it corrected; a fault which has produced incalculable benefits to the country, but which, amidst all its advantages, has this inconvenience—that when the characters of individuals are under discussion here, the smallest variation, the most unintentional misrepresentation of what is here uttered, may harrow up the feelings of the most just and righteous man in the country, by the imputation of principles or practices which he abhors. The honourable and learned gentleman had said, that a judge had no right to take cognizance of what is said of him here. What! is it of no consequence that, in courts in which a judge administers

justice, he should be known to sit with clean hands? Is it unnatural that he should be anxious to refute, before those who are the best judges of their truth or falsehood, the imputations which he may suppose have been levelled at him? The honourable and learned gentleman will acquit me of the charge of contending that, either on this or on any other occasion, a judge should discharge his duty to himself, without reference to his duty towards others, or that he should make observations on statements, of the authenticity of which he is not satisfied. As readily, I am sure, will he acquit me of the idea of sheltering myself under the technicality of denying that what was said by the Lord Chancellor had reference to what passed in this House; but it had not reference to it, I am sure, in the sense which the honourable and learned gentleman has attributed to it—not in the sense of a great officer of the crown attempting to intimidate a member of the House of Commons—but of an individual, feeling, perhaps too sensibly, for his character, after a public life of great, and spotless, and irreproachable merit, and of whom it might be said, that he wore his heart upon his sleeve "for daws to peck at," and dreaded too much every trifling attack, as striking at the vitals of his reputation. It is a fault to be so sensitive—it is a fault in a public man—but it will be hard on public men that it should be so severely visited as the honourable

and learned gentleman proposes: for I am sure that the course he points out can lead us to little less than an accusation of the most serious kind. I certainly wish that a different course had been taken by the noble and learned lord, and that in the time that elapsed between the debate in this House, and the end of the week, he had recurred to other testimony, which might have set him right as to the words actually uttered by the honourable and learned gentleman. That it is to be regretted that the noble and learned lord neglected this precaution, I admit; but that he could treasure up the mis-statement to take an opportunity of wreaking his vengeance on an individual, is what no man would believe of another, and what any one who knows the character of the noble and learned lord will not dream of attributing to him. [The Solicitor General here whispered to Mr. Canning.] I have made this observation, supposing it to be true that the Lord Chancellor had seen the reported observations of the honourable and learned gentleman, soon after they were uttered; but my honourable and learned friend, who is acquainted with the fact, tells me that the newspaper containing the expression attributed to the honourable and learned gentleman, was put into the hand of the Lord Chancellor only on Saturday morning, at the moment of his going into court. Then, Sir, are the honourable and learned gentleman and

the Lord Chancellor, so situated that the character of one or the other must suffer? There is, it appears to me, an intermediate path. What the honourable and learned gentleman said, could not justly have given offence; while, in that misrepresentation, not wilful, and not inexcusable, of the honourable and learned gentleman's observation, is to be found a justification of the warmth of the noble and learned lord. The honourable and learned gentleman has vindicated himself in the face of the House and of the country; and it would appear in him somewhat approaching to the temper which he has attributed to the Lord Chancellor, if he were to press his motion; and I see nothing which need preclude him from receiving the best and most substantial satisfaction, in the assurance that what he really did say would not have excited the feelings which the misrepresentation of what he did say has led to the expression of. Sir, with these feelings, and to prevent the commencement of a proceeding, the termination of which we cannot anticipate, and with the fullest admission that the honourable and learned gentleman has set himself entirely right with the House and the country, I shall oppose his motion.

The House divided.—

Ayes	102
Noes	151
Majority against the Motion	49

AMELIORATION OF THE CONDITION OF THE SLAVE POPULATION.

MARCH 16th, 1824.

Mr. Secretary Canning appeared at the bar with papers.

The Speaker.—Mr. Secretary Canning, what have you got there?

Mr. Secretary Canning.—Papers, Sir, by command of His Majesty.

The Speaker.—Please to bring them up.

Having been brought up, the Speaker put the question, "That the title of these papers be now read;" which having been carried, the clerk read the title. "Papers, in explanation of the measures adopted by His Majesty's Government for the Amelioration of the Condition of the Slave Population in His Majesty's dominions in the West Indies."

Mr. Secretary Canning proceeded to address the House as follows:—Sir, I rise to discharge my duty to the House, both as the mover of the Resolutions which were passed on the 16th of May last year, and as the organ, in this House, of the Government which undertook to carry the principles of those Resolutions into effect. With

a review of the measures which have been adopted, and of the course which has been pursued by His Majesty's Government, in obedience to those Resolutions, it is my intention to combine another subject, kindred in its nature—I mean a proposition for the more effectual abolition of the odious trade which furnished to the West Indian colonies that population, the condition of which it is now our study to ameliorate. I shall postpone, however, to the conclusion of what I have to state to the House, the latter subject, on which I anticipate an entire concurrence; and shall address myself, in the first instance, to the contents of the papers which I have just laid upon the table.

I begin, Sir, with requesting that the Resolutions of the 16th of May, 1823, may be read.

The Clerk then read the following Resolutions.

"Resolved, *nemine contradicente*, "That it is expedient to adopt effectual and decisive measures for ameliorating the condition of the slave population in His Majesty's colonies.

"That, through a determined and persevering, but at the same time judicious and temperate, enforcement of such measures, this House looks forward to a progressive improvement in the character of the slave population, such as may prepare them for a participation in those civil rights and privileges which are enjoyed by other classes of His Majesty's subjects.

"That this House is anxious for the accomplishment of this purpose at the earliest period that shall be compatible with the well-being of the slaves themselves, with the safety

of the colonies, and with a fair and equitable consideration of the interests of private property."

Mr. Secretary Canning continued.—I am desirous, Sir, that the House should have present to its mind the text of these Resolutions: because it is by the spirit and meaning of them, that the conduct of His Majesty's Government has been guided. These Resolutions, therefore, and not any more sweeping principle, or any more widespread theory, constitute the criterion by which the conduct of the Government is to be judged.

Undoubtedly, Sir, if there be a question at which it is impossible for any person, the most careless, to look with indifference, but which any man, who approaches it as a subject of legislation, must view with the deepest awe, it is the question now before us. To speak of the difficulties which encompass it, as compared with almost any other question which has ever occupied the attention of Parliament, would be to draw but a faint and feeble picture of those difficulties: they are, indeed, apparent to the most casual observation; but he who has to probe and prove them, for the purpose of applying a remedy, finds them thickening around him at every step, and leaving him frequently nothing but a choice of evils. Formidable, however, as the question is, in its present shape, it is undoubtedly less so than it was last year, when first propounded to

the House. At that time we had to steer our course amidst conflicting prejudices, and opposite extravagancies of principles; beset on the one hand with theories, which would not suffer fact or establishment to stand in their way; and on the other hand, with long established interests, and inveterate habits of thinking, sensitively jealous of any innovation or correction. These contradictory impulses were alike opposed to any practical step that could be taken to forward what all admitted to be expedient—the amelioration of the condition of the negro slave.

The concurrence of the House in the Resolutions of last year has considerably narrowed the ground of dispute. I hope I shall not be considered as misrepresenting the collective sense of Parliament, and the general feeling of the country, when I describe that sense and feeling to have been—an unequivocal abhorrence of slavery in the abstract; an acknowledgment of the almost hopeless difficulty of curing all its horrors, but a determination, nevertheless, to look the evil in the face, and to endeavour steadfastly to apply to it such remedies as might mitigate, if they were not powerful enough to extinguish it. But the repeated sanctions of the legislature, the settled rights of inheritance, and the various ramifications of property and of interest growing out of them, create impediments which the House are not prepared to sweep at once away, in order that we

may have a clear stage for the exhibition of theoretical experiments. I hope, therefore, I do not misrepresent the sense of the House of Commons when I say that, in passing the Resolutions of last year, there was no general disposition to encourage any thing like a sudden emancipation of the negro; that the House looks forward to the termination of slavery as the result of a gradual and general improvement in the condition of the slaves, and not as the consequence of an instantaneous proclamation of general freedom. I hope I do not misapprehend the feelings of the House and of the country in taking their intention to be, that His Majesty's Ministers should consider not only what may be right in theory, but what will be wise in practice; not only how to do the greatest possible good, but how to do it with the least possible mischief. I hope I may add that, in the opinions of the House and of the country upon this subject, there is no mixture of hostility or of ill-will towards individuals whose lot is cast in those distant regions, in which the system of slavery exists; regions which, notwithstanding their separation, are subject to the protection of the British Crown, and entitled to the care of the British Parliament. While, with a deliberate purpose, and with a steady hand, we are carrying forward, in its due course, an amelioration of the condition of the slave, I hope and I believe, that we act in obedience to the feel-

ings of the House and of the country in taking especial care not to drive the plough-share over the rights and possessions of our West Indian fellow subjects.

These, Sir, are the principles on which His Majesty's Government have acted; and by these principles, I say, they are desirous to be judged. If there are those who think that enough has not been done, or that more might have been done in the same time, they will now have an opportunity of laying before the House any schemes or propositions of their own. But I think I shall be able to show, that we wisely made the Resolutions of this House the rule of our conduct; and that, in the mode and in the degree which was contemplated by the House, we have done much for the welfare of the slave, with the least possible hazard to the interests of his employer.

Amongst all the embarrassments attending the discussion of this question, an obvious one is this, that not a phrase can be uttered upon it by a responsible adviser of the Crown, which is not liable to be seized by one or other of the conflicting parties, and wrested to their own purposes. Now, Sir, I declare in the outset, that, if I know myself, I have considered this question in all its bearings with the most scrupulous impartiality. If I have any partial feeling at all arising from the habits of my early life, it is one strongly favourable to the cause of general abolition. From

the time at which I first was honoured with a seat in this House, I have been an humble, but a sincere and zealous labourer in that cause. But although I have always been friendly to the abolition of the Slave Trade, I, in common as I think with others, the most zealous friends of that abolition, have always kept that question distinct from the one which is now introduced.

I do not mean to say that I should be guilty of any breach of faith, or that I or others who have been equally favourable to the abolition of the Slave Trade, would be obnoxious to a charge of inconsistency in now avowing the intention of abolishing slavery. But I must be permitted to say, that the most zealous advocates of the abolition of the trade, if they entertained this intention, studiously concealed it: nay, not only concealed, but denied any intention of aiming at an object which was indeed represented by their adversaries as the natural and necessary consequence of the success of abolition. I am sure that I have myself frequently denied in debate that I looked to emancipation as the necessary consequence of the abolition. Am I, therefore, an enemy to the gradual relaxation of the system of slavery? God forbid.—If I am asked, whether I am for the permanent existence of slavery in our colonies, I say, No. But if I am asked whether I am favourable to its immediate abolition, I say, No. And, if I am asked which I

would prefer, permanent slavery, or immediate abolition, I do not know whether, under all the perplexing circumstances of the case, I must not say, I would prefer things remaining as they are . not, God knows! from any love for the existing state of things, but on account of the tremendous responsibility of attempting to mend it by a sudden change.

Happily, however, we are not driven to either of these extremes. Between the two, there is an open, debatable ground. By gradual measures, producing gradual improvement, not only may the individual slave be set free, but his very *status* may be ultimately abolished. Such has been the progress of improvement in nations of Europe, that once were most barbarous, and are now most polished. But such a consummation is not a measure of single enactment and of instant effect. Much is to be done, and much is to be forborne, before we can hope to arrive at it. The co-operation of adverse parties, and the concurrence of various circumstances are requisite for its accomplishment ;—and after all, the measure will eventually make its way rather by the light of reason than by the coercion of authority.

The papers, Sir, which I have laid upon your table, consist in part of reports received from some of the West India Colonies, and in part of explanations of the scheme which the Government has devised, for carrying into operation the

views of the House as disclosed in the course of the last session.

Gentlemen are aware that the colonies are divided into two classes; one of which (the smaller number), are governed by the Crown, without the intervention of local legislative assemblies; the other and larger class have legislative assemblies framed in miniature after the model of those of the mother country. As such assemblies are not a little jealous of the rights and privileges, by the possession of which they resemble the institutions of the parent state, the colonies of the first class are much the more easily manageable. Experiments may therefore be tried with greater facility in the colonies wholly governed by the Crown; in Trinidad, for instance, in St. Lucie, or in Demerara. I name these colonies in the order in which I conceive the existing state of their laws to be favourable to such an experiment. Trinidad formerly belonged to the Spaniards, whose general slave laws are incomparably the mildest; St. Lucie, to the French, whose code is in the next degree favourable to the slave population; and Demerara, to the Dutch, whose treatment of their slaves is perhaps the least favourable of the three; but whose laws provide, nevertheless, some institutions for the care and government of the slave population, which may be employed and improved to advantage.

With respect to Trinidad, I cannot omit to

observe, that, about twenty years ago, I in this House called the attention of Government to that colony, the possession of which was then recently confirmed to us by the peace; and submitted a motion, to the effect that Trinidad should not be placed on the same footing as our other colonies, by the grant of a legislative constitution; but should be reserved under the unfettered dominion of the Crown, for the purpose of experiments for the amelioration of the condition of the slaves. One part of my proposition was, indeed, that the importation of slaves into Trinidad should be entirely discontinued. In that object I did not succeed; but I cannot forbear to congratulate myself and the House, if that motion of mine, though not altogether successful, has had the effect of keeping Trinidad in a state, in which an example may be set there by the direction of the executive power uncontrollable by any legislative assembly.

The course intended to be pursued with respect to the island of Trinidad, will be shown by reference to an Order in Council, which is to be found among the papers laid on the table.

With the permission of the House, I will state to them shortly the different regulations which that Order in Council comprises. The House will have the goodness to compare what is there done with the statement which I made last session, of what ought to be done: and I think it will appear

that none of the points upon which I dwelt, on that occasion, have been neglected.

In the first place, it is directed by this Order in Council, that the shocking and unseemly practice of the chastisement of females by the whip, shall be entirely abolished. Here, Sir, it is but justice to say, that the abolition of this punishment has also been recommended by the resolutions of the West India body in this country, in the course of last year. It is also no more than justice to add, that some of the colonies have adopted, some even anticipated, the recommendation. To raise the weaker sex in self-respect, as well as in the esteem of the stronger, is the first step from barbarism to civilization.

The Order in Council next abolishes the use of the whip, when applied to males, as a stimulus to labour;—that wanton and degrading use of it, which places the negro slave on a footing with the cattle of the field. The whip is not to be carried into the field by the driver, nor is it to be borne as a symbol of authority. It is not in any case to be employed summarily; but it is not, as to males, to be laid aside as an instrument of punishment. The House will see that it is quite a different thing, when brandished as a symbol of authority, and applied to the brute nerves of the negro as an incitement to labour: or when used for the infliction of a punishment, of which the reasoning faculties of the slave can appreciate the justice.

Even as to males, and as an instrument of punishment, the whip is to be employed only under certain regulations, both with respect to the amount of infliction, and to the time. Delay of punishment for some time after the commission of the offence is the best security against abuse from suddenness of passion. It is further provided that witnesses shall be present at the punishment of a slave; and that all punishments shall be accurately recorded. These alterations at once raise the mass of the negro population from the brute state to that of man.

To provide the means of religious instruction and worship is an object first indeed in importance, but necessarily subsequent in order to those which I have already mentioned; because it is not till the slave population are raised in the scale of nature that they can be capable of comprehending, or fitted to receive, the blessings of christianity. It is intended to increase the amount, and widen the basis of the ecclesiastical establishment in the West Indies. That establishment was founded for the benefit of the white population alone. It was no more calculated for the negro than for the brute animal that shares his toils. I am not stating this as a matter of charge, but as a matter of fact. This establishment, though founded on the principles of the national church, will not exclude other denominations of christians. The authority and the discipline of the national

church will be lodged in bishops, to be resident in the colonies. With religious worship will be combined religious instruction. It is not my business on the present occasion to trouble the House with details: but here, again, I am bound to do justice to the West India body in this country, who have declared their anxiety for the institution of religious instruction, and to more than one of the colonies which have already acted upon that declaration.

Sir, after religious worship and religious instruction, naturally come those charities of life, which religion promotes and sanctifies. The Order in Council enjoins the local Government of Trinidad to encourage marriage. This injunction, I am again bound to say, and I do so with much satisfaction, is in perfect consonance with the recommendation of the persons most interested in the colonies who reside in this country, and has also received a ready assent in many of the colonies. In consideration of marriage, and of the other charities of life, which grow out of that connection, it is provided by the Order in Council, that in all future sales, I fear that I must still use that word, families shall not be separated. In transferring slaves from one property to another, care will be taken in future that husband and wife, or reputed husband and wife, and parent and child, shall not be severed from each other.

The influence of family ties will naturally beget

in the mind of the slave an increased desire of property. The Order in Council gives the security of law to that possession of property which is at present respected by custom; and enjoins that measures shall be taken to secure to the slave the power of bequeathing it at his death. In aid of these provisions it has been thought advisable, (however singular it may appear, that a very late invention of a country far advanced in civilization, should be supposed capable of taking root in a rude society like that of the West Indies)—it has been thought advisable, I say, to institute a bank, in which the little savings of slaves may be accumulated. To the right of enjoyment, and to the power of bequest, secured by law, will be thus added the further security derived from the over-watching eye of public observation.

Sir, when, by measures of this kind, new ideas are infused into the mind of the negro, when he is lifted from a level with the beast of the field, when he has been allowed to take his stand amongst the human race—

> "Cœlumque tueri
> Jussus, et erectos ad sidera tollere vultus;—"

when he has been taught to appreciate the endearments of family connections, the ties of kindred, and the blessings of property,—when his nature, as well as his condition, has been thus improved,—then comes the fit opportunity for

considering a subject which is surrounded by many practical difficulties—the admissibility of the evidence of slaves in courts of justice.

It would be as wild to say, that the evidence of slaves should be indiscriminately admitted in all cases, as it would be unjust to exclude it in all cases. In this country, a person in the situation of a slave—I do not mean politically, but morally, —an infant, whose mind is not sufficiently expanded to be able to estimate the obligation of an oath, is not permitted to give evidence. It is first ascertained, by examination, that the mind of the infant is in fact so matured, as to be capable of comprehending that obligation. It would be improper to admit the evidence of blacks without a similar guard. It is proposed, therefore, that those persons who are to have the care of instructing the negroes should have power to certify, not with respect to a particular case in which the evidence of a slave may be wanted, but generally, that such and such slaves have made such advances in civilization as to be cognizant of the nature of an oath. It is proposed, that a register of such slaves shall be kept, constituting as it were a privileged class, and presenting (what is the spring of all human action,) something like an object of ambition to their fellow-slaves. Under this arrangement the competency of a slave to give evidence will not be judged by subjecting him, at the moment, to an examination, probing

his intellect to the quick, by questions which he may not be able to comprehend; but it will be known at once, when any individual slave is proposed as a witness on a trial, whether he is one of that class whose evidence has been certified to be admissible. It is just to state, that under certain qualifications, the evidence of slaves is already admitted in the courts of justice of Dominica, Grenada, St. Vincent's, and I believe St. Christopher's, and Tobago.

A natural consequence of the determination to impart religious instruction to the slaves, will be the abolition of Sunday markets, and of Sunday labour. The Order in Council prescribes this abolition, so soon as the means of religious worship shall be established. It prescribes immediately a restriction of the Sunday market, within certain hours—ultimately, as I have said, its total abolition. In some of the colonies this regulation is already partially anticipated.

By this process, and by these degrees, may the slave be gradually fitted for the last grand consummation of benefit, the power of acquiring his freedom. Heretofore the restraints on granting manumissions were extremely numerous; but these are now considerably reduced; several taxes and imposts have been removed in different colonies; and in others, a like disposition has been manifested. The Order in Council, however, goes beyond what has been hitherto at all generally

practised in the colonies. It ordains that a negro, who has acquired sufficient property, shall, under certain guards and regulations, therein set forth, be entitled to purchase his own freedom, the freedom of his wife, or that of his children.

I have thus, Sir, stated to the House the provisions of the Order in Council. I know, that, with respect to the last point, namely, the purchase of freedom, great prejudice, great dislike, great apprehension, prevails. I am far from saying that it is not a perplexing question: but the principle has been admitted to a certain extent in St. Kitt's, and also in Trinidad. No principle can be considered as impracticable which has, even in a single instance, been voluntarily admitted in the West Indies. It is astonishing how much good might be done by merely collecting, and bringing to bear on one society, all the beneficial regulations which are scattered through the different colonies. I admit, on the one hand, that the existence of such beneficial regulations affords an answer to the general declamation which has been heard about the total neglect and abandonment of the negroes, by West Indian Governments and proprietors: but I must, on the other hand, contend, that the people of this country, who, on account of their distance from the colonies, are compelled to look at them through the eyes of others, are entitled to consider as good authority for any improvement of which they re-

commend the introduction, the fact, that what they wish to recommend has been by any one West Indian community already voluntarily adopted.

I will now recapitulate the improvements which Government propose to effect in the island of Trinidad:—First, abolition of the use of the whip with regard to females entirely;—discontinuance of the use of the whip as applied to males as a stimulus to labour;—restrictions on the infliction on males of punishment by the whip. Secondly, a religious establishment and religious instruction;—and, in order to give time for the acquirement of that instruction, the abolition of the markets and of slave labour on the Sunday. Thirdly, encouragement of marriage among the slaves;—the keeping together of families of slaves, in sales or transfers of estates; the securing to slaves the enjoyment of property, and the right to distribute it at their death. Fourthly, the admissibility of the evidence of slaves under certain regulations; and, lastly, a power to the slave to purchase his own freedom, or that of his wife or children. These are the chief objects of the Order in Council. Such is the example which the Government are disposed to set in the island of Trinidad; and it is hoped that other colonies will follow an example so set, without the apprehension of danger.

I am aware that whilst with respect to the last point alluded to in the Order in Council—the power to be given to slaves to purchase their own freedom, or that of their wives or children—Government has gone beyond the general assent of the West India body, they have fallen very short of the desires of some excellent and honourable persons. I know very well that the honourable gentleman (Mr. Buxton) opposite, last year stated that he was disposed to go a shorter way to work, and to enact the emancipation of a particular generation of slaves. Sir, in the interval which has elapsed since the debate of last May, I have turned that matter in my mind with the most painful anxiety; and I feel bound to declare, that with the most sincere desire to come to the conclusion most favourable to the cause of humanity, I cannot concur in the honourable member's proposition. If it were carried into effect, it would in my opinion be productive of the greatest injury, not only to the white population, but also to the blacks themselves.—[Mr. Buxton here observed across the table, that he only proposed to emancipate the children of the existing slaves, not the slaves themselves.]

The honourable gentleman is not prepared to grant emancipation to the existing generation of slaves. Certainly not. To let in the full light of freedom on eyes scarcely unsealed, eyes from

which the scales of bondage have not yet been purged away, would indeed be a perilous experiment. But would it not be scarcely less unwise to hold out the hope of emancipation to the next generation of negroes? The slave would view the freedom which was thus placed in prospect before him, as an infant views any object of desire, without the faculty of calculating the distance which separates him from it. To hold out the prospect for a future generation, might create dissatisfaction in the present race of slaves, and render their actual existence intolerable.

The course which the Government proposes to pursue, is to arrive at the liberation of the child through the instrumentality of the parent. Enable the negro to purchase his own freedom--enable him equally to purchase that of his offspring—whenever he shall have acquired the means of doing so;—and the option between himself and his child being left to his own feelings, how probable is it that those feelings may lead him to prefer the liberation of his child!—On the contrary, if we were to take the rising generation of slaves, or those hereafter to be born, under the special protection of the Legislature, as proposed by the honourable member, parents might perhaps be tempted to look upon their offspring, with feelings, I will not say of envy, but with feelings far other than those of unmixed satisfaction, with

which a parent ought to contemplate the happiness and prosperity of his child.

Immediate emancipation to the negro himself, I am most happy to hear the honourable gentleman disclaim. It would indeed be a fatal gift. To be safely enjoyed it must be gradually and diligently earned. *Haud facilem esse viam voluit*, is the condition under which it has pleased Divine Providence that all the valuable objects of human aspiration should be attained. This condition is the legitimate stimulant of laudable industry, and the best corrective of ambitious desire. No effort of an individual, and no enactment of a legislature, can relieve human nature from the operation of this condition. To attempt to shorten the road between desire and attainment, is nine times out of ten to go astray, and to miss the wished-for object altogether. I am fully persuaded that freedom, when acquired under the regulations prescribed by Government, will be a more delightful as well as a more safe and more stable possession than if it were bestowed by a sudden acclamation.

In dealing with the negro, Sir, we must remember that we are dealing with a being possessing the form and strength of a man, but the intellect only of a child. To turn him loose in the manhood of his physical strength, in the maturity of his physical passions, but in the infancy of his uninstructed reason, would be to raise up a crea-

ture resembling the splendid fiction of a recent romance; the hero of which constructs a human form, with all the corporeal capabilities of man, and with the thews and sinews of a giant; but being unable to impart to the work of his hands a perception of right and wrong, he finds too late that he has only created a more than mortal power of doing mischief, and himself recoils from the monster which he has made.

Such would be the effect of a sudden emancipation, before the negro was prepared for the enjoyment of well-regulated liberty. I, therefore, Sir, would proceed gradually, because I would proceed safely. I know that the impulse of enthusiasm would carry us much faster than I am prepared to go; I know it is objected that all this preparation will take time. Take time, Sir! To be sure it will; to be sure it should; to be sure it must!—Time, Sir?—why,—what is it we have to deal with? Is it with an evil of yesterday's origin? with a thing which is grown up in our time;—of which we have watched the growth —measured the extent, and which we have ascertained the means of correcting or controlling? No; we have to deal with an evil which is the growth of centuries, and of tens of centuries; which is almost coeval with the deluge; which has existed under different modifications since man was man. Do gentlemen, in their passion for legislation, think that after only thirty years'

discussion, they can now at once manage as they will, the most unmanageable, perhaps, of all subjects? or, do we forget, Sir, that in fact not more than thirty years have elapsed since we first presumed to approach even the outworks of this great question?—Do we, in the ardour of our nascent reformation, forget that during the ages for which this system has existed, no preceding generation of legislators has ventured to touch it with a reforming hand? and have we the vanity to flatter ourselves that we can annihilate it at a blow?—No, Sir, no:—we must be contented to proceed, as I have already said, gradually and cautiously; and what I have now laid before the House, is, I flatter myself, sufficient for the first step in a process which will widen, and strengthen as it goes.

It is the intention of the Government, Sir, after having established the system which I have explained, in Trinidad, to extend it to the other colonies in which the power of the Crown is unshackled. The same instructions which have been sent to Trinidad, are to be forwarded to St. Lucie; the only difference will be, that, as in Trinidad they are grafted on the Spanish law, in St. Lucie the machinery of the French law will be employed for carrying them into operation. It is intended also to extend the experiment to Demerara and its dependencies; where, indeed, it would have been first tried,

but for the intervention of the unfortunate occurrences which have lately taken place in that colony.

I shall be asked what is likely to be the effect produced by the adoption of these measures in Trinidad, St. Lucie, and Demerara, upon the other West Indian colonies which have legislatures of their own, and by many of which the communication of the wishes and intentions of Parliament has certainly been received with a spirit any thing but conciliatory. I shall be asked what are the intentions of the Government, as to those colonies; by what means it is intended to bring them to reason, and to induce them to adopt the views and second the determinations of Parliament?

Sir, if it were possible for me, on a question involving so many important interests, so many perplexing considerations, and so many contingencies requiring to be calculated with the utmost coolness and deliberation; if it were possible to indulge, on such an occasion, any personal feeling of irritation at the manner in which His Majesty's Government, and among them, myself, as a member of that Government, have been treated by some of the West India Assemblies, I might be tempted to resort to measures of reprehension and coercion. But, Sir, I can assure the House that I am actuated by no such feeling; and that I am not inclined to resort to any such

measures. On the contrary, I should consider it most unwise and most unbecoming to do so. In the ebullition of anger (for I will call it nothing more) observable in the proceedings of some of the legislative assemblies, I see much to blame, indeed—much to excuse—something to pity, but nothing to punish. Nothing I am aware would be easier than to put an end to the dispute at once, by overwhelming power; but I see no necessity, and I am sure I feel no inclination, for such a proceeding. If, indeed, there were any thing like an equality of strength between the legislature of this mighty kingdom, and the colonial assemblies, as was the case in a struggle in which this country was heretofore engaged with her colonies, then might Parliament, roused by insult as well as opposition to a feeling of exasperated dignity, denounce vengeance against Jamaica. But as I do not mean the thing, I will not use the language.

There are three possible modes in which Parliament might deal with the people of Jamaica: first, as I have said, it might crush them by the application of direct force;—secondly, it might harass them by fiscal regulations, and enactments restraining their navigation; and, thirdly, it may pursue the slow and silent course of temperate, but authoritative admonition. Now, Mr. Speaker, if I am asked which course I would advise, I am for first trying that which I have last mentioned;

I trust we shall never be driven to the second; and with respect to the first, I will only now say that no feeling of wounded pride, no motive of questionable expediency, nothing short of real and demonstrable necessity, shall induce me to moot the awful question of the transcendental power of Parliament over every dependency of the British Crown. That transcendental power is an *arcanum* of empire, which ought to be kept back within the *penetralia* of the constitution. It exists, but it should be veiled. It should not be produced upon trifling occasions, or in cases of petty refractoriness and temporary misconduct. It should be brought forward only in the utmost extremity of the state, where other remedies have failed to stay the raging of some moral or political pestilence. Undoubtedly, Sir, it would be easy to select passages from the Jamaica Gazettes, which according to all legitimate inferences of reasoning, ought to put Parliament in a towering passion: but I must confess that upon a moment's reflection, I find my indignation restrained by consideration of the powerlessness of the body from whom the offence comes, compared with the omnipotence of that to which it is offered. The consciousness of superior strength disarms the spirit of resentment. I could revenge but I would much rather reclaim. I prefer that moral self-restraint so beautifully expressed by the poet, when he represents Neptune as allaying the wild

waters, instead of rebuking the winds which had put them in a roar—

"*Quos ego—sed motos præstat componere fluctus.*"

If there be any gentleman in the Jamaica House of Assembly, who meditates the acquisition of fame and popularity by opposing what he pleases to call the encroachments of the mother country, and who is preparing himself for his contemplated career, by conning over the speeches of Cushing and Franklin, we shall act most judiciously, by taking from him all lofty grounds of quarrel; by disappointing his patriotic ardour of contentious topics of inflammation; and by leaving him to found his insurrection, if insurrection he will have, on an abstract admiration of the cart-whip, and on a resolute claim of his free-born right to use that instrument at his pleasure.

I am convinced, Sir, that unless Parliament should injudiciously supply fuel to the flame, this unprovoked ardour will gradually expire. When the patriots discover that no parliamentary commissioner is coming out to control them, that no army is on its way to subdue them, no navy to blockade their ports, they will have leisure and temper to reflect calmly on what has passed; and finding no just cause of offence and no plea for crying out against oppression, they will, I doubt not, at no distant time, be convinced of the reasonableness of the measures recommended to their

adoption, and will prepare themselves to act, by their own power and discretion, consonantly to the wishes of this House.

Indeed, Sir, situated as Jamaica is between warnings and examples, having St. Domingo on the one side, and Columbia on the other, with Trinidad, St. Lucie, and Demerara almost in her view, I cannot believe that she will long hold out in her resistance. I cannot believe that much time will elapse before we shall learn that the planter of Jamaica is anxiously employed in emulating the endeavours of the Government in Trinidad, to improve the condition of his negroes.

In the full assurance that this will be the case, so far from entertaining any hostile feeling towards those who have been so liberal of their comments upon us, the Government is most anxious that Jamaica should participate to the fullest extent in all the advantages likely to result from the proposed regulations. One of the episcopal establishments is intended to be fixed at Jamaica; the other in the Leeward Islands.

For the support of these establishments it will not be necessary, for a time at least, that any demand should be made on the finances of the islands. I will not now enter into any detailed calculations upon this head, which do not indeed come properly within this general view of the question; but I will merely express my hope, that for the first two years the expenses of these

episcopal establishments will not exceed the amount of the interest of that sum which my right honourable friend has proposed to appropriate to the erection of new churches in this country. Two years will probably elapse before any portion of that fund will be required for the purposes for which it is ultimately intended. There is another fund also which may hereafter, when gradually relieved of the burdens which now exist upon it, be applied to the purposes of the proposed establishment, I mean the four-and-a-half-per-cent. or Leeward Islands' fund. I am authorized to state the disposition of the Crown to refrain from granting any further pensions out of this fund, until the burdens now upon it shall have been so far reduced, as to set free a portion of it, applicable to the West Indian episcopal establishment.

Sir, I have now nearly done. Being desirous of putting the House generally in possession of the principle and plan upon which the Government proposes to act, without exciting angry feelings on any side, I shall carefully and studiously abstain from all unnecessary reflections upon this important and painful subject; important from the extent of the interests which it embraces, and painful, inasmuch as it involves the consideration of the lot of so large a portion of our fellow-creatures, whose present state in society cannot be contemplated without the deepest feelings of commiseration. On the other hand, however, it is a question

full of hope, seeing that the attention of Parliament and of the country has been directed to the subject; and seeing that there exists on all hands a wish and determination to apply remedies to the evil, not indeed with an indiscreet haste, which would rather injure than benefit those whose welfare we are anxious to promote, but with a temperate and well-considered zeal.

As one of the best modes of forwarding our object, I would most earnestly conjure those honourable gentlemen both on one side of the House and the other, who may take part in this discussion, whether from motives of personal interest, or from motives still more powerful than any considerations of interest, to refrain from exaggerated statements, from highly-coloured pictures of individual suffering, which can have no other effect than to exasperate discussion into animosity. I entreat gentlemen to reflect that any conflict on this subject in this House will not be merely a war of words. If this night's debate should be angry and intemperate, the inferences drawn from it elsewhere will be fatal to the peace of the colonies. False hopes will be excited among the slaves; a spirit of resistance will be engendered among the planters; improvement in the lot of the negro will thus be placed at a greater distance than ever; and the lives and properties of the white population of the colonies will be placed in hazard and jeopardy.

I entreat honourable gentlemen particularly to bear in mind, that in the discussion of this question in this place, we have, as if by tacit agreement, spoken generally of slavery and of a slave population, without adverting to one essential characteristic, which distinguishes the slavery of the West Indies from all others; I mean that physical alienation which arises from the indelible difference of colour. We who live not on the spot can conceive but a faint idea of the nature of this alienation. But let it not be forgotten that our debates are read with avidity in the colonies by the different classes, in which this principle is working with full force.

No gentleman comes into this House to take part in this question, who is not some way or other, more or less, connected with individuals whose all is involved in the discussion. Let us recollect what prodigious ruin one unguarded expression, dropt in the heat of debate, may occasion to those whom we would not willingly injure; —while it is at the same time clear that the most ardent and enthusiastic eloquence cannot hasten the enjoyment of freedom by those who are not yet in a fit state to receive the boon.

If we are to do good (which I earnestly hope and sincerely believe we may,) it is not to be done by sudden and violent measures;—but by efforts of a patient and comparatively tame character; by measures slow in their progress, but

steady and sure in their operation; measures which must be carried into effect not by a few individuals of rare talents, and conspicuous zeal; but by the great body of those whom the advocates of the negro distrust and seem disposed to put aside.

Yes, Sir, if the condition of the slave is to be improved, that improvement must be introduced through the medium of his master. The masters are the instruments through whom, and by whom, you must act upon the slave population:—and if by any proceedings of ours we shall unhappily place between the slave and his master the barrier of insurmountable hostility, we shall at once put an end to the best chance of emancipation or even of amendment. Instead of diffusing gradually over those dark regions a pure and salutary light, we may at once kindle a flame only to be quenched in blood.

I am not aware, Sir, that it is necessary for me to detain the House by entering more into detail, nor will I be induced to sin against my own precept by diverging into general observations. I therefore here take my leave of the existing state of the negro population.

Connected, however, with that state from which we are endeavouring gradually to rescue so large a portion of our fellow-creatures, is, (as I have stated at the outset of my speech), the consideration of the inhuman traffic by which they were

brought into their present condition; and for the total abolition of which, so far as regards this country and her colonies, the friends of humanity are indebted to the exertions of my honourable friend (Mr. Wilberforce) opposite. I am convinced that the Slave Trade is entirely and effectually abolished with respect to our colonies. I know that other persons entertain a different opinion; but after the most anxious inquiries on the subject, I feel perfectly confident that with respect to the British West India Islands, the prohibition against the introduction of slaves is sacredly observed. It is, nevertheless, true that the introduction of slaves into foreign colonies continues to an enormous extent. All the efforts of this country to procure the active co-operation of other powers to put down the traffic in slaves has been ineffectual. Among the plans which have been suggested for that purpose, it has been frequently suggested that all persons guilty of slave-trading should be rendered obnoxious to capture, not only by the vessels of their own country, but by those of every other power,—in other words, that the Slave Trade should be declared piracy. A good deal of misapprehension, however, prevails upon this point.

It has been supposed by some persons that a congress of sovereigns—the Congress of Verona, for instance—might have taken upon itself to declare slave-trading a piratical offence, and thereby to make the individuals engaged in it amenable

to an universal international law. This is a complete mistake. England must surely be the last country in the world to admit that any congress of sovereigns could constitute a law, universal in its operation on states not party to its enactment. The only way in which this desirable object could be obtained would be, that every nation should for itself declare slave-trading to be a piratical offence in its own subjects. We have in the law of England many statutable piracies. But, supposing such a law passed here in respect to the Slave Trade, the effect upon the foreign Slave Trade would be nothing, unless we could persuade other nations each to pass the like law, and all to co-operate for its general execution. Now, we have more than once proposed both to the Government of France and to that of the United States, to give reciprocally by treaty, a right of mutual visit and search in all cases of suspected slave-trading. When it is considered how many delicate points of national pride, of maritime law, and maritime right, are touched by such a proposition, the House will not be surprised that it has been by no means cordially received. By France it has been more than once rejected altogether. But it is with no small feeling of gratification that I am now enabled to state to the House that many days have not elapsed since a treaty was signed on the part of this country by my right honourable friend near me, the President of the Board

of Trade, and a right honourable relation of mine, His Majesty's Minister to the United States of America, and on the part of the United States by the American Minister in London, by which treaty Great Britain and the Government of the United States concede mutually to each other, under certain regulations and restrictions, this long-sought right of visit.

This treaty authorizes the men-of-war of either nation to detain the merchant vessels of the other, if suspected of being engaged in slave-trading; provided, that both countries shall have previously adopted the same law respecting that crime, by constituting it by law a *piracy*. The House is probably aware that the Legislature of the United States has already passed a law to this effect. It is my intention to-night to propose, with the leave of the House, to bring in a bill for the like purpose. Should that bill pass, the navies of Great Britain and of the United States will henceforth act in co-operation, to extirpate, so far as regards their two countries, this abominable traffic altogether.

The present is not the most convenient time for entering into a detail of the provisions of the treaty; but those who recollect the difficulties which have hitherto obstructed the completion of any such agreement, must rejoice to find that all these difficulties have been adjusted. There are, on both sides, points of dignity reserved: and

care has been taken to preserve the general boundaries of maritime law: but upon the question of the Slave Trade, the powers reciprocally given are ample, and I trust will be found effectual. Each country reserves the administration of its own national law for the punishment of its own subjects: but the right of capture is common to both. For instance, if an American man-of-war should capture a British slave-trader, (and God forbid she should not, if such an one could be found), or, *vice versâ*, a British man-of-war an American slave-trader,—the captured vessel is to be remitted to the nearest ship of war of its own nation, or to its nearest native maritime port, for adjudication:—each country thus aiding the other in detecting the crime; but each judging its own subjects. I trust that the realization of this arrangement between the contracting parties will not be the limit of its beneficial operation: for when the two greatest maritime nations in the world,—the two nations, I mean, who, by the extent of their commercial navies, expose the widest surface to the operation of this new law,—so far compromise their maritime pride, and subdue their deeply-rooted prejudices, as to submit themselves to each other's vigilance and inquiry; it surely may be hoped that in any future discussions for the universal abolition of the Slave Trade, the joint representations of Great Britain and America may be employed with peculiar force,

and grace, and consistency, to induce other nations to lay aside all feelings of repugnance which may stand in the way of their accession to so truly virtuous and beneficent a confederacy.

Sir, it only remains for me to thank the House for the patient indulgence with which they have listened to me; and to conclude with moving for leave to bring in a bill for the more effectual suppression of the African Slave Trade.

A very protracted discussion took place on the motion of the right honourable gentleman. To questions soliciting information from some honourable members,—and to objections to the course pursued by His Majesty's Government, from others,—Mr. Canning replied:—

Mr. Speaker,—Had I not been called upon in so direct a manner by some honourable gentlemen in the course of this debate, it was not my intention to have offered myself again to your notice: and in addressing you at this late hour, Sir, and after so full a discussion, I am sure it will be agreeable to the House to hear that it is by no means my intention to trespass longer upon its time than may be necessary for replying to the questions which have been put to me.

And first, Sir, in reply to the question of the honourable member for Southwark (Sir R. Wilson). The honourable gentleman wishes to know

whether the Order in Council forwarded to Trinidad, is to be communicated to the other colonies which he has named? Communications have been made to the Cape of Good Hope, and other eastern settlements, but of the result of those communications I am yet without information. With regard to the other question respecting the use of the whip, and the number of lashes which a master is to be authorised to inflict on his slave as punishment for an offence; I have no hesitation in saying that my construction of the words "*at any one time*," which are to be found in that order, is, for any one offence.

I come next, Sir, to the more important questions put to me by my honourable friend the member for Bramber, and by the honourable member for Taunton. I confess it appears to me incorrect to call the Order in Council an *experiment*. The proper term to apply to it, is an *example;* and I trust, Sir, it is an example which the rest of the colonies will feel it both their interest and their duty to follow, without any interference on the part of the Government at home. With respect to such interference, however, I wish to be understood as reserving to myself the right of acting as circumstances may require. I have already described the different kinds and degrees of interference which might be employed towards the colonial legislatures, should such a course become necessary; but I must repeat that I deprecate any such

interference, except by way of admonition and advice, unless as a last resource, or in an urgent extremity. The power exists:—but any practical application of it ought to be most cautiously avoided, until all other means shall have been tried and found unavailing.

The honourable member for Taunton, (Mr. Baring), has charged the Government with delay, with want of decision, with agitating this great question, session after session, and still without any intelligible determination; with being, in short, like the honourable gentleman himself, as much on the one side as the other. This is the honourable gentleman's statement; now let us look at the facts. In the month of May, 1823, this question was moved for the first time by the honourable gentleman (Mr. Buxton) opposite. The Government then also, for the first time, declared its intention to take the question into its own hands. Only nine short months have passed over since the question in its present shape was first agitated; and the Government now comes forward, and through me, its humble instrument, proposes a measure, which, whatever other gentlemen may think of it, seems to be so satisfactory to the honourable member for Taunton, that he carries his approbation of it even beyond those who propose it; he expects even more from it than the Government itself. Yet after having bestowed this extraordinary share of approbation

on the measure proposed by the Government, the honourable gentleman assumes the lecturer's chair, and proceeds to censure us alike for what we have done, and what we have omitted, and to tell us what we ought and ought not to do. The honourable gentleman on this, as on some other occasions, reminds me, Sir, of certain members of this House, who were so well described by Mr. Burke forty years ago: "There are (said that eloquent statesman) a certain class of persons who when they rise in their places, no man living can divine, from any known adherence to parties, to opinions, or to principles, from any order or system in their politics, or from any sequel or connection in their ideas, what part they are going to take in any debate. It is astonishing how much this uncertainty, especially at critical times, calls the attention of all parties on such men. All eyes are fixed on them; all ears are open to hear them; each party gapes and looks alternately for their vote almost to the end of their speeches. Whilst the House hangs in this uncertainty—now the *hear, hears!* rise from this side—now they are re-bellowed from the other, and that party to whom they at length fall, from their tremulous and dancing balance, always receive them in a tempest of applause." And now, Sir, just as forty years ago, there are gentlemen who get up late in the night, when the debate has reached a certain stage, and make a speech so nicely

balanced this way, and that way, a piece of blame here, a piece of praise there, with censure and applause so beautifully blended and contrasted, that no man can venture to pronounce which ingredient predominates. To such gentlemen nothing certainly could be so disagreeable as to find the Government taking upon itself the part of mediator, and thus occupying the situation which they considered as exclusively their own, and which, it appears, on the present occasion, the honourable member for Taunton was particularly anxious to occupy. He would fain have had the Government assume a different course, and say to those who want all—you shall have nothing; and to those who wish to retain every thing—you shall give up all; in order that he might have had the opportunity of correcting the extravagance of the Government, and saying, "No, you must make one party concede this, and the opposing party, give up that; a government ought to avoid the excesses of a partisan." This, Sir, is exactly what the Government has done. It has, as I have said, assumed the position of mediator; and the honourable gentleman appears to be exceedingly disappointed that the situation which he had marked out for himself is thus filled.

The post of mediator being thus occupied, the honourable gentleman is now all for extremes; "Why do you thus hesitate?" says the honourable gentleman; "why temporize with the question?

why not decide it once for all and settle it for ever? If there be danger in decision, you ought to meet it manfully, and look it boldly in the face." This, Sir, is advice very easily given by those who are not responsible for the consequences of following it. But the honourable gentleman's advice and example are not in exact accordance with each other. If, like him, we had balanced between theory and practice, we should have done nothing. But keeping his wisdom for himself, to us he gives advice which would be sure to lead us into difficulties. "Look the danger boldly in the face," says he. Allow me to ask, what does the honourable gentleman mean by looking the danger boldly in the face? for I protest I do not understand him. Does he mean that slavery shall continue as it is? or does he mean to recommend immediate emancipation? If the honourable gentleman counsels either of these extremes, and will have the goodness to say which of them he means to counsel, he will be at least intelligible, he will have recommended a decisive measure. The bold course of which he speaks would undoubtedly be to adopt one of these extremes; but in the most perfect sincerity, I declare I cannot make out which of the two is his favourite. The Government, however, has adopted a middle course; and this milder mode of proceeding is precisely that, which, if we had adopted either of his bold courses, the honourable member would have

been delighted to have an opportunity of recommending.

The course now proposed by His Majesty's Government will, as we believe, effect every thing which, after mature deliberation, we believe can be safely attempted at this time. I know that there are persons connected with the West Indies, who wish to force the Government to say more on this subject; to extort from us a further declaration of the views which we entertain for the future. They wish us to give a pledge that no more shall ever be done than is now proposed. But I will not commit myself on this subject.

The honourable gentleman (Mr. Buxton) opposite, is not more vehement in his abhorrence of slavery in the abstract than I am. But I have a repugnance to abstract declarations. I am desirous of acting on this, as I would do on all other occasions, on the best information that I can obtain, with a view to practical benefit: I am desirous of taking moderation, equity, justice, and sound policy, for my guides. But I will not consent to be fettered by any engagements express, or implied. I will not be led by either side, or in either sense, to declarations from which it may be impossible to advance, and dangerous to retreat. If it would be improper to declare an intention of stopping here, it would be equally improper to hold out any pledge of ulterior and accelerated measures. The question is not—it

cannot be made—a question of right, of humanity, of morality merely. It is a question which contemplates a change, great and difficult beyond example; one almost beyond the power of man to accomplish; a change in the condition and circumstances of an entire class of our fellow creatures; the recasting, as it were, of a whole generation of mankind. If this be not a question requiring deliberation, cautious and fearful deliberation, I know not what can be so. Sir, we must proceed in it with the extremest circumspection; we must watch the signs of the times, taking advantage of every favourable occurrence; but reserving a discretion and freedom of action, which it would be madness wantonly to throw away.

Whatever, therefore, may be the opinion of the honourable member for Taunton, I will not consent to depart from the course, which, after the most mature consideration, the Government has determined to adopt. I will cheerfully resign to him either of the extremes, between which alone he conceives the choice to lie: but I will not be shamed by any thing which the honourable gentleman can say, out of our moderate and middle course of policy, into one which, because we have not adopted it, he calls by the name of decision, but which, if we had been unadvised enough to engage in it, he would justly have characterized as rashness.

The question was then put, and leave was given to bring in a Bill for the more effectual suppression of the African Slave Trade.

EVACUATION OF SPAIN BY THE FRENCH ARMY.

MARCH 18th, 1824.

Lord John Russell submitted the following Motion, "That an humble Address be presented to His Majesty, that he would be graciously pleased to give directions that there be laid before this House copies or extracts of any communications that have been received from the Government of France respecting the Evacuation of Spain by the French Army."

Sir R. Wilson seconded the motion in a most interesting speech, in which he gave a detail of the Spanish campaign, in which the honourable and gallant member had himself borne a conspicuous part.

Mr. E. J. Littleton moved the following Amendment:—"That this House being satisfied of the firmness and sound policy which have guided His Majesty's councils in respect to the late hostilities between France and Spain, and considering the several conditions with which His Majesty's declaration of neutrality in that contest was qualified, sees nothing in the present circumstances that calls upon the House to express any apprehension of a permanent military occupation of the Spanish territory by France."

Mr. Gooch seconded the Amendment.

Mr. Secretary Canning* rose, after the question had been put from the chair, and while the gallery was clearing for the purpose of a division. He had waited, he said, and naturally, until the very moment when the House was being called on for its decision; for he could scarcely persuade himself, that a motion, brought forward after such immense preparation; and a motion, to the effective prosecution of which, one other hapless motion had already been sacrificed, was itself in its turn to be abandoned by all the accustomed supporters of the noble mover. He could hardly believe, seeing as he did over the way a victim who had, on a former night, been completely deserted, and whose friends out of doors had given as a reason for that desertion, that the great effort was to be made upon a motion yet to come, and that it would not be prudent by any previous display to weaken the impression which was then to be produced, he really could scarcely be convinced when he recollected these things, that the debate of the present night could have been about to close at the moment when he had taken it up; and that not only the motion of the noble lord (Lord Nugent) opposite was to go entirely unsupported, but such an Amendment as that proposed by the honourable member for Stafford be suffered to pass without a struggle against it. But if he was surprised, he was not dissatisfied with the disposition manifested by the House; for it was impossible to look at the noble lord's motion by itself, or to consider it in any other light than as the last of a series—no, he begged pardon—it was only the third, and it might not be the last in which an attempt had been made to take away something from the recorded approbation of the House. He said "from the recorded approbation of the House," and he thought he might add, of the settled opinion of the country, in favour of the conduct of Government in the late contest between France

and Spain. Twelve months back, when the first great attack had been brought forward, it had been anticipated that the triumph of those who put the Government upon its trial would be complete. The debate was to be triumphant—overpowering—final. All who had taken part, even slightly, in the impugned transaction, were to be swept away ; but how did the affair turn out? Where was the victory and the song of joy—*Exitus ergo quis est?*

"Hide, blushing glory—hide Pultowa's day!"

Never had rout and overthrow been so complete. The records of Parliament afforded no example of defeat so unqualified. In no age, at no period within the stretch of parliamentary history could an instance be found of a failure so heavy, or of any failure by a thousandth part so grievous and extensive, taking into account the confident anticipations by which the enterprise had been ushered in. Upon that occasion, the general policy pursued by the Government had received the approbation of the House. So far, therefore, as to the main consideration, the question was at an end. But, in the course of the session, the war having concluded, it was thought that particular parts of the transaction might be selected in which blame might, up to a certain point, be fixed upon the Government, without attacking the general vote of approbation; and, on that occasion, a noble lord opposite (Nugent), after bringing forward the question in the shape of a most unreasonable and untenable proposition, conveyed in a most temperate and eloquent speech, had been left in the deserted state to which he (Mr. C.) had already adverted.

The noble mover, on the present evening, had come forward upon a second insulated point, and, he, in spite of his noble ally's fate, expected to make a considerable impression.

But he (Mr. Canning,) said again, that it was impossible to view the noble lord's proposition singly. The proposition was not, that it was contrary to the interests of this country that France should remain in possession of Spain. If that were the proposition, it would be a proposition self evident, a proposition which no man could think of contradicting, for no man could suppose that it was the policy of England, that France should remain in the permanent possession of Spain. But the proposition of the noble mover, taken fairly, came to this, when the House had come to the resolution of deciding, that it was not expedient for England, at the risk of compromising her neutrality, to prevent the war between France and Spain, it had not contemplated a temporary occupation of the latter country by the troops of the former. The question now was, whether that occupation had been conducted in such a spirit, or had continued for such a time, as to raise a fair presumption, on our part, that it was meant for other purposes than those which were professed; and, if this could be made out, whether the noble lord opposite had a right to call upon the House for an expression of opinion upon the subject; or whether, that fact not being made out, there was sufficient in the general proposition of the noble lord, applied not to the aspect of immediate circumstances, but to the received policy, and ordinary conduct, and probable views of France, whether there was sufficient in this state, to warrant him in calling upon the House for its interference? Now, the honourable member for Stafford had said, and said truly, that, if the noble lord really thought that the occupation of Spain had continued longer than was consistent with the safety of England, he should have moved, not for papers, as he had contented himself with doing, but, at once, for an address to His Majesty, praying that he would call upon the King of France to withdraw his army from the country. But, the

noble lord set out by a course which was negative in itself. He began by saying, "I will believe no assurances given by France," and concluded by desiring the House to get at those assurances. Why, if the assurances were good for nothing, surely the noble lord ought to look for some better security. But, setting out by saying, that nothing which was stated by France could be believed, the noble lord fell short of his own inference, and was satisfied to stop with moving for French declarations. The question, however, for the House, was, whether the noble lord had laid a parliamentary ground for the production of the assurances in question; and he (Mr. Canning) was ready to argue the point in any way, to suppose either the existence of such professions, or their non-existence. He would suppose Government to be in possession of assurances from France, that the occupation of Spain was to be given up at the first practicable moment. Then, if those assurances were produced, the noble lord would be bound to say he did not believe them. On the other hand, suppose such assurances not to exist, and suppose them not to exist because they had not been asked for—then, how did he (Mr. Canning) defend himself? his defence was a short and a plain one. He said, that, at the outset of the quarrel between France and Spain, this country had qualified her neutrality by three specific conditions. The first of these was, that Portugal should not be attacked. The second was, that there should be no interference with South America. The third was, that there should be no permanent occupation of Spain. And, though there was no distinct declaration contained in the despatches, as to what would be the consequence of any breach of these conditions, yet no man who was in the least degree versed in diplomatic affairs, would deny, that it must have been fully understood that no violation of them would be permitted by this country. Two, then, out of these

three conditions, had already been virtually performed. Portugal had not been molested; and South America was left untouched, for every one admitted the declarations of France upon the last point to be sufficient. Then, if two of the French conditions had already been performed in course, what right had we to doubt the due performance of the third? Three months back, if the declarations as to South America had been asked for, they could not have been produced. He (Mr. Canning), in declining to bring them forward, must have stood upon worse ground than he occupied at present. He should have argued for the necessary delay, and (he hoped) have obtained it; but there would only then have been one pledge from France fulfilled; and that the weakest, as an argument, because the temptation was the last to its violation. But, two conditions, one a most material one, were now complete; and Government surely had a right to claim exemption from the necessity of further discoveries—discoveries which, as regarded the noble lord, would be of no value, because nothing but the fact could prove the fact; nothing but the actual evacuation of Spain could convince those who were unwilling to believe that that country ever would be evacuated. For himself, he declared, as a minister and an individual, that he believed France was as anxious to put an end to the occupation as the noble noble lord or his friends could be, that she should put an end to it; but he was equally sure, that if it were put to him to say "should France march out now, or should she not," it would be quite beyond his power to say that she should. But it was asked, how long was France to remain in the possession of Spain? Was she to hold the country until Ferdinand VII. gave free institutions to his subjects? In one sense he should say "would to God that she were;" and in another sense, that he hoped to God that she was not. Would to God that she were, be-

cause she would, as institutions stood, prevent much ill. Heaven forbid she should, because he feared she would have to remain for ever. One thing, however, he would say, and it was only candid towards France to avow it: he did believe, that, whatever absence there was of every horror and excess in Spain, was owing to French interference, and to the presence of the French army. He desired not to be misunderstood. He by no means intended to say—and heaven forbid that he should say—that this fact redeemed France from the original sin of the invasion. That question, however, was past: it stood, in some sort, with the transactions of former years. He did not defend the act. He did not palliate it. He was against it upon every principle; and would resist it if it were to do again, at any hazard short of going to war. But, events must be judged of in some measure as they went on; and thus much he was bound to admit as an honest man, he did not believe that, in the annals of history, there was any case of an invading army, not a case even of a friendly force in a foreign country, except it were a force belonging to Great Britain, no other instance upon record, in which either invaders, or allies, had themselves done so little mischief in a foreign state, and had prevented the doing of so much. The termination intended by France to her military occupation of Spain, had all along been earlier than he could have hoped for; and she still intended, if possible, to keep her day.

With respect to the mode of the occupancy, and even the seeming intent of it, he thought that considerable misapprehension in some quarters existed. An honourable member (Sir R. Wilson) had adverted to the occupation of Cadiz; and had stated that Cadiz, to be useful as a military post, must be occupied by at least 25,000 men. Now, as it certainly was not occupied by one half that number, it would follow, that it could not be retained with a military view

And, in truth, the political events connected with it—its having been a sort of rival capital, and the point at which the constitution was generated—would sufficiently explain its being occupied under the present system. In the same way with respect to Badajos, there was a necessity which explained the retention of that place. The most consummate general of the age had declared, that he should not consider himself safe at Cadiz, unless he could hold Badajos at the same time. But, what was it that the French were doing in their occupation? In what way were they employing their influence? Were they urging on the cruelties to which the party now having the ascendancy in Spain were but too much inclined? Were they fostering the gloomy, vindictive prejudices of the monks, or exciting the blind fury of the populace? On the contrary, they were protecting the very people whom they had entered the country to subdue. By a strange course of events their whole situation and business in Spain had become changed. They had gone into the country to defend the fanatical party against the constitutionalists; and now they were actually interfering for the constitutional party with the fanatics. How long this system was to last he did not know. Only a fortnight back, he had hoped for its early termination; but every successive post had lessened that expectation. Of this, however, he entertained the most decided conviction, namely, that, whenever the time came that Spain might be left to herself with safety, France would be as much pleased in the prospect of withdrawing her troops, as England could possibly be at seeing her evacuate the country.

He should now come to the objection which had been taken to the mode in which the neutrality of this country had been conducted. Neutrality, he trusted, had strictly been preserved; but the preservation of it had not been altogether so easy a task as might be supposed; and it was

worth while to observe, that some difficulties had been thrown in its way by those who were among the most ardent sticklers for its maintenance. To put a case:—If two heads of families agreed with each other upon any course, and any of the members of either of those families chose to take measures in opposition to the agreement decided on, would not the leading party, whose friends had thought it right to do this, be compelled to go a little further, perhaps, than he would have otherwise done, in order to acquit himself of possible suspicion? He could assure the House, that amongst the various and conflicting interests which were involved in the late disturbances in Spain, the difficulties which the British Government has had to contend with have been most imperfectly estimated. No man in that House could have heard with more respect and sympathy than himself the speech of the honourable—he would call him his honourable and gallant friend (Sir R. Wilson); for although the forms of discussion might exclude its exercise, he could have no wish to disavow the sentiments of kindness and regard which he had always entertained for him. "But without meaning to cast the slightest reflection upon my honourable and gallant friend, I must assure him, that amongst the many difficulties which the Government has had to encounter, he individually had been one of the greatest impediments to the observance of a strict neutrality." His honourable and gallant friend formed in himself no small breach of neutrality; but he could assure the House that the noble lord opposite (Lord Nugent) was a most enormous breach of neutrality. He well knew how dull a thing it might appear in these times of liberal opinions to direct the attention of the House to authorities which may be considered obsolete: but he would read to the House an extract from the work of an eminent writer on the law of nations; and, *in limine*, he wished to apprise the House

that it was not a Bynkershoek. It might here be necessary to explain what he meant by a Bynkershoek. He remembered that some few years back a very important discussion took place in that House; upon which occasion his honourable and learned friend opposite (Sir J. Mackintosh) quoted in support of the opinions he was advocating, the authority of a name (a more modern authority than that of Vattel, which he meant to cite), and he recollected he was very anxious to discover whether the favourite author of his learned friend was stating the practice of the states of Holland, to which he was secretary, or was delivering his own abstract opinions. However, in some short time after, he laid his hands upon the work, and, to his astonishment, he found that they were merely the opinions of the writer, and that the practice of the states, to which he was secretary, was quite the other way. So that henceforward, whenever he found a man who lectured upon the policy of a state, and put forward his own individual opinions instead of the laws of the country which he professed to expound, his invariable custom was to call it "a Bynkershoek." Now, let the House hear the opinion of that eminent jurist Vattel, to whom he had already alluded:—

"As nature," he says, "has given to men the right of using force, only when it becomes necessary for their defence, and the preservation of their rights, the inference is manifest, that since the establishment of political societies, a right so dangerous in its exercise no longer remains with private persons, except in those kind of rencontres where society cannot protect or defend them. In the bosom of society, public authority decides all the differences of the citizens, represses violence, and checks the insult of revenge. If a private person intends to prosecute his right against the subject of a foreign power, he may apply to the sovereign of his adversary, or to the magistrates invested with

public authority; and if he is denied justice by them, he is to have recourse to his proper sovereign, who is obliged to protect him. It would be too dangerous to give every citizen the liberty of doing himself justice against foreigners, as every individual of a nation might involve it in a war. And how could peace be preserved between nations, if it was in the power of every man to disturb it? A right of so great moment, the right of judging whether a nation has a real cause of complaint; whether its case allows of using force, and having recourse to arms; whether prudence admits, and whether the welfare of the state demands it: this right, I say, can only belong to the body of the nation, or to the sovereign, its representative."

Now in other times, he should not have felt it necessary to support this opinion by reference to authority; but it was satisfactory to be able to produce authority when the principle was disputed. Here we have the sovereign on the one hand, and the body of the people on the other, pledged by Parliament to the observance of a rigorous neutrality. He did not wish to introduce into the discussion any technical niceties of law, but he would just suppose ourselves placed in the situation of a foreign power which had received assurances of strict neutrality; and let us then consider what we should have felt under similar circumstances. There was France with an armed force in the Spanish territories; a distinguished individual arrives upon the Spanish shores, from a nation whose king had pledged himself to strict neutrality between the belligerent powers, which pledge was sanctioned by Parliament. This individual arrives with sentiments of avowed hostility, and announces that he shortly expected to be joined by an army of 10,000 men. It would be answered, that the men never did arrive. Why, he knew that; but it was not quite so certain that the French Government would be

aware of it. Indeed the effect of the statement had been to draw the war to that part of the country in which it had been put forth. As a blister applied to the foot drew the humours to that point from other parts of the body, so the landing of the gallant individual in question had drawn the contest to the quarter in which he appeared. He gave full credit to the gallant gentleman in question, for his spirited exposure of both fortune and person; for the determination with which he acted upon his opinions and principles, and the prodigal expenditure which he was always ready to make of his personal security. But, it was the duty of Government to look at matters with other eyes than the eyes of an individual. He (Mr. Canning) felt, as regarded the pledge of England, what it was that the gallant member was doing; and, if France did not remonstrate, there was only the more need for this country to disavow. Then, every word of disavowal so uttered, let it be recollected, was, *pro tanto*, a humiliation. It was saying at least that we had something to apologize for. And honourable gentlemen complained, that Government had not maintained a sufficiently high tone. But, it was very easy to bluster in one breath, while we had to extenuate in another. Under the circumstances, he had felt it necessary to write to Sir Charles Stuart, stating that he could not disavow in terms too strong, both for the Government and personally for every member of it, all connection with, or approval of the enterprize of the honourable and gallant gentleman. He had been compelled particularly to make this abjuration with respect to the individuals connected with the Government, because the honourable gentleman had happened to send out his first dispatches to Corunna under his (Mr. Canning's) cover. That measure had, of course, secured their safe arrival at the place of their destination. But he had felt the delicate situation

in which it placed him — he had felt it incumbent upon him most distinctly to disavow what the gallant gentleman was doing; and he had done so. [Here the honourable gentleman read an extract from a letter to Sir Charles Stuart, in which he had desired the disavowal in point to be made.] At the same time, he had stated that the service of volunteers was not unauthorized by the law of nations, and that it did not expose the individuals rendering it to any penalty. The honourable gentleman would see, therefore, that although he had been compelled to disclaim his measures, he had not been inattentive to his personal security. [The right honourable gentleman read to the end of the paper; which imported the readiness of His Majesty's Government to offer this disclaimer, though it was with them not the least part of the evil, that they were subjected to the humiliation of having to excuse themselves with the French Government.] That was the condition in which his honourable friend had placed His Majesty's Government, with their liberty of acting almost taken away — their arms fettered—restrained in their conduct—lowered and humbled to the degradation of making apologies to the Government of France. His honourable friend, however, was not the only person who had helped to place the Government in this predicament, though other persons who had deported themselves in a similar manner had not reduced His Majesty's Ministers to the necessity of making excuses; for, at the time that he, with that generous prodigality of his services which he had lavished upon a cause not quite deserving of it, was paying the penalty of his gallantry and courage in one quarter, there arose in another quarter of that country another luminary (Lord Nugent), who, though he certainly did not fall behind the honourable gentleman in military intention, might not have lent his services to the country with as much military effect as his honourable friend had done.

He did not wish to pry further into matters than was necessary; and by some it might be thought, that in what he was about to say he was going too far; but, in cases of this nature, it was the duty of Government to know what was going on; else, by giving way to too much secresy in respect to the conduct of individuals, they might, before they could be sufficiently aware of it, become involved in hostilities by the warlike conduct of their own subjects.

"Then, Sir, (continued Mr. Canning) about the middle of the month of last July, the heavy Falmouth coach—yes, Sir, the heavy Falmouth coach, in the month of last July, was observed to proceed to its destination with more than its wonted celerity. The coach contained two passengers; the one a fair lady of considerable dimensions; the other a gentleman, who was about to carry the succour of his person to the struggling patriots in Spain. I am further informed—and this interesting fact, Sir, can also be authenticated—that the heavy Falmouth van, which gentlemen, doubtless, are aware is constructed for the conveyance of more cumbrous articles, was laden, upon the same memorable occasion, with a box of most portentous magnitude. Now, Sir, whether this box, like the flying chest of the conjuror, possessed any supernatural properties of locomotion, is a point which I confess I am quite unable to determine; but of this I am most credibly informed—and I should hesitate long before I stated it to the House, if the statement did not rest upon the most unquestionable authority—that this extraordinary box contained a full uniform of a Spanish general of cavalry, together with a helmet of the most curious workmanship; a helmet, allow me to add, scarcely inferior in size to the celebrated helmet in the Castle of Otranto. The idea of going to the relief of a fortress blockaded by sea and besieged by land, in a full suit of light horseman's equipments, was, perhaps, not

strictly consonant to modern military operations. However, almost at this time the arrival of the promised force of 10,000 men—which never existed except on paper—was hourly expected, and would have been most acceptable; and when the gentleman and his box had made their appearance, the Cortes no doubt were overwhelmed with joy, and rubbed their hands with delight at the approach of the long promised aid. That aid did come; but it came in the sense and in no other, which was described by the witty Duke of Buckingham, whom the noble lord opposite reckoned among his lineal ancestors. In the play of '*The Rehearsal*,' there is a scene occupied with the designs of the two kings of Brentford, to whom one of their party, entering, says,—

> 'The army's at the door, *but in disguise*,
> Entreats a word of both your majesties.' "

How the noble lord was received, or what effects he operated on the councils and affairs of the Cortes by his arrival, he (Mr. Canning) did not know. Things were at that juncture moving rapidly to their final issue. How far the noble lord conduced to the termination by throwing his weight into the sinking scale of the Cortes, was too nice a question for him just now to settle. But it must be evident, that by circumstances like those to which he had alluded, the Government, if it wished to exercise common and necessary caution, was called upon, without any appeal from the French Government, for a disavowal. It was not for him to condemn the principles and motives which led the honourable gentleman and the noble lord to make that generous sacrifice of themselves to the cause of Spain; but what he urged was, that if they would have neutrality on the part of the Government, they must be content to be

bound by the feelings, expressions, and determinations of Government; nor ought they to expect to be allowed individually to carry on war against a Government with which their own was in amity; and, in doing so, compel their own Government to go further than they otherwise need to go from the strict line of neutrality, and to say more than they would otherwise have occasion to say, in order to set the balance, once disturbed, again even.

There was another part of the question upon which he differed from the noble lord whose motion they were now discussing. The noble lord insisted, that if while Spain was in the occupation of France, any Spanish force should be raised to send to South America, that ought to be considered in all respects as a French force, and be treated as such by Great Britain. Now, so far he would concede to the noble lord—that this would be a question of degree. He could imagine such an occupation of Spain by France, as would lead him to conjecture that it was for other purposes than those professed by France; and he could imagine, that if, under such an occupation, any very considerable levies of Spanish troops were raised to be sent against South America, it would be a strong indication of that disposition on the part of France. But they were to look at things as they now stood, and he saw nothing in the condition of the French forces—nothing in their distribution—nothing in the quality of their occupation—nothing in the mode and conduct hitherto employed as to them—nothing in the councils or the practice of the French Government—nothing in the declarations of the Spanish Government—to lead to any inference that the French Government had that intention. He could not argue upon any case which stood in direct contradiction to the views and policy of the French Government. His answer would be—look at the papers on the table, and it would there be seen,

that the French Government closely approximated to the views of the English, with respect to the Spanish American colonies.

With those who would say "I can't trust the French—I don't believe a word of their assurances," there could be no argument of any kind: no assurances of any sort could prevail with them. He was sure that the French Government looked at the question not precisely in that point of view, in which it was considered by the English Government, because the relative interests were different; but they viewed it more nearly in the same light than any of the other powers of Europe. As to the other apprehension entertained by the noble lord, it was useless to discuss it. That any other member of the European confederacy could be put in danger by the present occupation of Spain, was a vain dread. It was not possible, from their situation or circumstances, that they could by that circumstance be placed in greater danger from the power of France:—

> "Stabant orantes primi transmittere cursum,
> Tendebantque manus ripæ ulterioris amore."

If the noble lord's motion were carried, he would find, from the papers produced, the accuracy of every thing which he (Mr. C.) had now advanced. Nor could there be any immediate objection to it, as far as the negative assurances of the French Government were in question. The real obstacle with the noble lord was, that he had not laid any parliamentary grounds for his motion. His honourable friend near him, who had moved the amendment, had pursued a course, in opposing the motion, which was perfectly just towards the Government. Whenever a question of suspicion was mooted unjustly, in proportion to the injustice done to the motives of Government, so much the stronger ought to be the declaration of confidence by the

House. If the reasons of that confidence did not warrant so strong an expression of it, that was a subject which would soon be brought to a clearer understanding: if the conduct of the Government did justify the confidence, it was only fair and honourable, under those circumstances, to bring it to the proof, and make it known by a direct declaration of that confidence. If the fears of the noble lord were groundless; if there was no probability that the French Government intended to push the military occupation of Spain into political possession; if the British Government had left no steps untried to assure themselves of the intentions of the French, and found no ground whatever for apprehension; and if the House found all this upon the papers already laid before them, they were bound to vote against the noble lord; and further, if they found that, being assailed by suspicion, they were entirely without blame upon the matter in question, he hoped they would do the Government the justice to say openly to the country, that as they had nothing to allege against their past conduct, so they still held undiminished confidence in them as to the future.

Sir R. Wilson said, in explanation, that he had sent his papers unsealed through the office of the right honourable secretary, because, as he was communicating with one who was then a Minister of the Spanish court, he thought it not only proper, but highly necessary, that the officers of the British Government should be acquainted with the transaction.

Mr. Canning said, that his remark as to the inviolable secresy observed by his office in transmitting the papers of the honourable gentlemen, referred chiefly to letters to private individuals, which were also forwarded by the honourable gentleman.

The original motion was negatived, after which the Amendment was agreed to without a division.

ALIEN BILL.

APRIL 2d, 1824.

In the discussion that arose on the order of the day being moved for the second reading of the Alien Bill,

Mr. Secretary Canning* said, he rose rather in fulfilment of a pledge into which he had been seduced a few nights ago by the soft persuasion of the honourable member for Aberdeen (Mr. Hume), than from any admission that the question required more ample argument; and still less did he feel it necessary to rise for the purpose of making any acknowledgment that, on any former occasion of discussing the principles of this bill, his own sentiments required any, even the slightest, qualification. The honourable member for Aberdeen, in a style half complimentary to him, and half composed of serious censure on the measure itself, had done him the honour to oppose the principle of the bill to that which he deemed to be the general character and genius of his (Mr. Canning's) policy. If, however, the honourable gentleman should find any thing contradictory to the opinions which he had formed of him, in the arguments he was about to use in support of the measure; if he should find any thing which he might conceive to be opposed to the opinions which he (Mr. Canning) had professed, he would enable the honourable gentleman to thread those differences, to reconcile those seeming contradictions in his expressions, by producing, in one word, the clue of the labyrinth—the shibboleth of his (Mr. Canning's) policy upon this and every other public question; and that word

was "England." His wish was only that of being found siding, on all divisions of opinions, with the interests of his country.

He was desirous of disclaiming at the outset, the slightest reference to the wishes of any other sovereign, to the feelings of any other government, or to the interests of any other people, except in so far as those wishes, those feelings, and those interests, may, or might, concur with the just interests of England. Perhaps, of all the questions that had been recently discussed in that House, the present bill had been the most subjected to the influence of the reigning vice of all discussion at the present day—the vice of exaggeration. If, without reference to time and place, we were to hear it asserted, that it was a monstrous and unheard-of proposition, that a sovereign state should arrogate to itself the power of determining what foreigners should be admitted into its territories, and on what conditions they should reside there, the assertion would appear so monstrous and so extravagant, that no one would venture seriously to repeat it. And yet all the strength with which it had been clothed by the opponents of the bill, had been by dressing up a proposition so simple and so absurd, with facts with which it had no connection, and with suppositions which had no foundation. He must forfeit, he feared, some of the good opinion of the honourable member, when he said, that in discriminating, in the arguments on this bill, between those which maintained its principle and those which were conversant in its details, he was inclined to give most consideration to those which confirmed the principle; and, the principle once established, though it might afterwards be shown that errors accompanied the exercise of it on particular occasions, it was still good for all times and circumstances. Being a principle of that force and generality, it could not be done away, and the details must consequently

form but a secondary consideration. He said, that the right must have existed, and must continue to exist, at all times and under all circumstances. He did not therefore say, that at all times and under all circumstances the power was equally applicable. But he would say, not meaning to take the power of the Crown apart from the authority of Parliament, that if it were found that no such power as that of constraining aliens more than natural-born subjects existed, and upon any new and unexpected emergency the want of that power should be felt, that would be such a state of things as ought not to be allowed to exist, even if this temporary bill should expire; and he trusted that expire it would, without another renewal. He repeated his earnest hope and expectation, that it would expire without another renewal. But, even in that case, with respect to the principle of power, Government, of whomsoever it might be composed at the time, would not do its duty, if it suffered the principle to lapse into annihilation, or if by neglect they should afterwards allow the power itself altogether to escape from their hands. He hoped he should not be taunted by the honourable gentleman with throwing any thing out as a lure for popularity, when he thus candidly avowed, that his only consideration was, how to preserve the principle of the measure; and, that being once effected, that he was little anxious about the details, and was not at all disposed to undertake to show how, by whom, and on what particular occasions, that power should be now exercised. When he said "now," he wished not to be misunderstood. Much argument had been wasted on the question of situation. Honourable gentlemen had gone back to former times to show that the power was or was not in the Crown, without the Parliament; and, in his opinion, the precedents produced were equally strong in proof for either side of that argument. The power had undoubt-

edly been exercised by the Crown, sometimes with, sometimes without, the consent of Parliament; but it was absurd to be drawing comparisons between the exercises of power, with regard to the different parts of the Constitution now, and in former times. Suppose a precedent were shown of Henry the Eighth having exercised this power without the consent of Parliament, would that imply the least resemblance between the constitutional functions of Parliament then, and at the present day? The consent of that Parliament of Henry the Eighth, which voted the proclamation of the King to have the force of law, was surely something different from the concurrence of a Parliament of the present day; and if to add any sanction to a strong measure against aliens, the monarch clothed it in the name of such a Parliament, it was no proof that it was subject to any real control. The monarch, in fact, discussed his measures in Parliament as in a large council, where his influence was as complete as in his own privy council. But he did not want to prove that the power was originally with the Crown; that it was inherent in the prerogative. It was matter of perfect indifference to him, whether it was innate in the Crown to be exercised by the Crown, or in the Crown to be exercised with the consent of the Parliament; or if it were lodged first with the Parliament to be shaped by the Parliament in its exercise, with the assent of the Crown as a branch of the Parliament: there must be a power lodged somewhere in the Constitution to deal with aliens, if it should be found necessary, more summarily than with their own subjects.

The question had been argued as if this bill would form an exception to the practice of all other countries. It had been repeatedly urged how odious it would be in them to retain a power which, from its objectionable nature, was not claimed by the government of other states. But the

argument was quite the other way. England was the exception. This country alone stood without the continual existence and frequent exercise of that power. He defied those who objected to produce facts. Let them show him any state in Europe, from the most arbitrary to those supposed to be the most free—from the highest degree of despotism, through all the range of political inventions by which states were governed, down to the most widely-spread democracy—which had ever consented to be without the power of controlling the abode of aliens more rigidly than that of native subjects. Why, then, was this country to be deprived of a defence which no other state, of any kind—or at any period—would be without? Why was this country to divest itself of a power essential to its own security, when occasions might arise for bringing it into action?

Another argument used by honourable gentlemen opposed to the measure was, that the acquisition of power over aliens resulting from it, would be inconsistent with freedom. Why, the experience of all history went the other way. He had before said, that all governments had had this power; but more particularly was it exercised by those governments which were considered the best of ancient times. Look at the ancient republics of Greece and Rome. Were gentlemen altogether to forget their classics on the present occasion, and overlook the instances which they afforded bearing on the present case? Let them look at Sparta, where the condition of the stranger was little better than that of the unfortunate Helot. Let them look at the polished rival of Sparta—Athens: and what was the condition of the alien who went to reside there for a time? He was, in the first place, obliged to put himself, during his stay, under the protection of some patron; or in default thereof, he was sub-

ject to every kind of inconvenience. But even under the patron, he was liable to have his goods sold, and his person sent to prison, for non-payment of the alien tax.—Let them look at Rome—at ancient Rome—in the days of her greatest freedom. Was the alien the object of any peculiar care? On the contrary, he was rather the object of peculiar jealousy. It was necessary that there, too, he should place himself under the protection of some patron; but that did not exempt him from the liability to be sent from the city without notice. Aliens were sometimes sent out, not by one or two at a time, but frequently in whole droves together, at the caprice of the tribunes, or consuls. Why did he mention these facts? Not for the purpose of urging them as reasons why we should now act in a similar manner, but to show that, at all times, such a power was exercised by those states most jealous of their freedom, and that the power was never held to be at all inconsistent with that freedom. Look at the practice of this country in ancient times. It was true, that aliens were invited, and that peculiar protection was given to alien merchants. Why? Why, because the only men who travelled in those days were merchants. Did it follow because encouragement was given then, that the same should be held out at the present day? And this brought him to notice what was the radical error of the arguments of gentlemen on this question; namely, that they made no distinction between the policy of an ancient state and that of a modern one. At that period of the Roman state, when the fight between the Horatii and Curiatii was to decide whether Alba was to be Rome, or Rome Alba—at that time the description of a set of aliens among the numbers of Roman citizens might be a matter of deep expediency, which could not afterwards exist. The jealousy of such an adscription in a future period of the Roman history

was not inconsistent with the former measure. In the one case a new state approved of what was then expedient; in the other, an old state was jealous of what it looked upon as encroachment. Why, the rape of the Sabine women was considered a measure of expediency to supply the wants of the young state; but no man would go so far as to assert, that because such a measure had once been expedient, it would be equally expedient that it should be resorted to at the end of every lustrum. Yet, it was by confounding two very dissimilar epochs in the history of states, and arguing the necessity or policy of certain measures in one, because they had been found to exist in the other, that gentlemen who opposed this bill had so egregiously deceived themselves. It might be rational, when it was an object for England to collect capital and industry, to open her ports indiscriminately to those strangers who alone would resort to them, the merchants; but when the paths of industry were fully occupied, when the people were fully employed, and the country overflowing with capital, it might be natural to look to the introduction of strangers with other eyes, and to see less of the advantages than of the perils of the influx.

Let the House look at the two kindred British states, happily joined in amity, though divided by institutions, which now occupy, perhaps, a greater space than any others in the eyes of the world. And here let him observe, that when he spoke of, and admitted, the freedom of America, he must add, that we in this country enjoyed as much freedom as was enjoyed there, or in any other part of the world, and that our freedom was watched over and protected by a monarchy, which so far from being a check, was in reality its best and safest guardian. But, let the House look at the policy of the two Governments. The policy

of America was facility of admission; the policy with us was jealousy of admission. They wished to increase their subjects—we, to secure those we already possessed—to prevent them from going off, and others from coming to us. The difference of this policy was not the difference between despotism and freedom—No: one was the policy of a new, the other that of an old state. He would ask, in what part of Europe could Englishmen travel with such complete freedom as foreigners could in this? On the continent, a man could not move beyond a certain limit without his passport, as had been truly observed by the honourable and learned serjeant (Onslow): beyond that limit he felt the chain round his leg, which he possessed no means of lengthening. This fact at once put an end to the argument of invidiousness, and that we were committing an outrage on foreigners, to which we ourselves were not abroad exposed; that this was the only despotic country of the world—that Turkey was not despotic—Russia not despotic—Austria not despotic—France not despotic, in comparison with the despotism of Great Britain. Let him ask, in addition, whether the police was not a source of inconvenience to Englishmen abroad? Why, a young Englishman had been kept in custody, some time back, for a whole night, for galloping at night over the bridge of Geneva. What consolation would it be to this young Englishman who rode over the bridge of Geneva, and thereby almost shook the little republic to its foundation, that the despotism to which he was there exposed was not inflicted by "a malignant and a turban'd Turk," but by the honourable and learned gentleman's (Sir J. Mackintosh) literary friend, M. Sismondi, or by his own arithmetical friend, Sir Francis d'Ivernois? And yet, after experiencing all the inconvenience of travelling in foreign countries, some young English travellers returned, and

declared that an Alien Bill here would be a disgrace to the country! He had said thus much of the measure as a general principle recognized by the states most attached to freedom. He had considered a certain power over aliens, as a thing which ought to be possessed permanently. He would not go into the details of the present bill, or the alterations which it might or might not be necessary to make, if it were to remain permanently on our statute-book. He would not say whether the measure which might be eventually decided upon to supply the place of the bill should be a registry; but, without entering into any details of that kind, he would repeat, that when this bill should expire, it would be necessary to introduce some measure with respect to the power which the executive ought to possess over foreigners in this country. He was afraid, then, that he should not satisfy the honourable member for Aberdeen when he not only declared himself in favour of the measure before the House, but of the general principle out of which it arose.

He now came to the measure before the House, as applicable to the present times; for, having cleared the general principle, it remained for him to consider not whether this bill was good from beginning to end, but whether it was a modification of an admitted principle, suited to particular and existing dangers. Now what were the existing dangers? With regard to internal perils, he was perfectly ready to admit, that he saw none to the institutions of this country from the exertions of any foreigner, however disposed such foreigner might be to assail them: He firmly believed that in the very worst of times there was, inherent in the English Constitution, or he should rather say, in the constitution of the English mind, that which would repel the aid of foreign treason, and would not inoculate itself with any infection that was not at least of native

origin. And therefore was it that his right honourable friend had introduced into this bill a modification of the former law, striking out from its operation all those foreigners who had been, for a certain length of time, domiciled amongst us, and with whose characters and connections we had had the means of becoming acquainted. But the particular danger of the time was that which had been stated by an honourable gentleman (Mr. Hobhouse) who spoke in this debate, and which had been frequently referred to in the course of the present session: namely, that there was a struggle now pending in the world, between extreme principles, and that this country was naturally and necessarily (and long might she continue to be so) the asylum for the beaten in that warfare. As that asylum, we had a right to inscribe over our gate, not, indeed, with Dante—

"Lasciate ogni speranza, voi ch'entrate,"—

"All ye that enter must leave hope behind;" — but rather—"All ye that enter must leave plots behind." —"You must leave behind your party feuds and your political squabbles, for you come here to seek an asylum for repose, not a workshop, where, without danger, you may forge new treasons." Those who courted a shelter, had no right to question the terms on which it was granted. If then we did not make these terms, what must be the necessary consequence? That which we called an asylum, would be felt and called by Europe and the world, a refuge, a hiding place, for all who retired but to meditate fresh disturbances. He was anxious that the nations of the continent should not be disturbed; because, the contact of independent governments was often so close and nice, that the disturbance of a part might lead to the disturbance of the whole, and we ourselves might not be free from the contagion. He was anxious, therefore, for English pur-

poses and English principles, that this bill should pass, as well as on account of the countries whose safety might be more immediately placed in hazard.

His gallant friend (Sir R. Wilson), as well, indeed, as the hon. member for Aberdeen, had both spoken out plainly and fairly, and from both of them he certainly differed *toto cœlo:* there was no point of resemblance or accordance upon this subject between them. They were of opinion, that in this struggle of extreme principles, England ought to side with those who espoused the extreme principles of liberty; that she ought to unfurl her banners at the head of that discomfited party; that she ought to array under her standard all those who were disposed to league together to overthrow the establishments of the world. The honourable gentleman did not, perhaps, use those precise words; but in argument they went that length; and the shades of distinction between them must be nice indeed. What they contended for was this—that while our unvarying principle was neutrality—neutrality recommended from the throne, advocated by the Government, supported by Parliament, and echoed throughout the country; while we would adopt measures the best calculated to preserve that neutrality, they would at once overthrow it. No doubt their object was laudable—no doubt they wished to accomplish magnificent purposes; but it was in direct opposition to the wishes of the Sovereign, the Parliament, and the people. But, it was somewhat unreasonable, somewhat too much to expect, that we should conform to their views, and at once abandon our settled and approved course, for their scheme of national exaltation. At least before they called upon us to do so, they ought to try Parliament upon the question —whether it was willing to adopt and pursue this new line of policy—a line of policy, the object of which was, not to keep down and soften animosities, not to reconcile diffe-

rences, and promote general harmony and good will, but to exasperate into action these modern principles of extravagant liberty; to march at the head of the exiles of every country, against their legitimate governments, and ancient institutions. If Parliament could be brought to adopt this new and exploded course, then he freely admitted, not only that this paltry Alien Bill, but with the honourable member for Aberdeen, " wise in his generation," that the Foreign Enlistment Bill must be at once repealed, and we must begin a new era in legislation. But the House would give him leave to say, that when the honourable gentleman and his friends had attained this most desirable object —when they had converted Parliament, convinced the Sovereign, and induced his Ministers to retrace their steps, they might still find themselves considerably disappointed. He should not be surprised if, after all their vehement denunciations, they were at last to come to Parliament for something like the enactment of an Alien Bill; for they assumed, that this country, unarmed with power to prevent the levying of war against a foreign state—the Foreign Enlistment Bill; and unarmed with power to controul the residence of foreigners—the Alien Bill, the consequence would be, that nothing would be heard of in Great Britain but the fitting out of armaments against what were termed the despots of Europe. But let him call the attention of those honourable gentlemen to one circumstance. There were two parties engaged in this struggle of extravagant principles. The one party might, indeed, carry with it the sympathies of mankind. They had all the common places of liberty on their side; but, unfortunately, their achievements had been few indeed. They had talked largely and done little; and the strength, at present, at least, was all the other way. Let him, then, put a case. His honourable and learned friend opposite (Sir J. Mack-

intosh) had given notice a short time since, of a motion for the recognition of the independence of South America; but he had withdrawn it, because he understood that the King's Ministers were prepared to consider any armament, fitting out in Spain, while the French retained a preponderating influence there, a French armament.

Sir J. Mackintosh.—I said, if any "considerable armament" were fitted out in Spain against South America, whilst that country was in the occupation of the French army, it ought to be considered as a French armament.

Mr. Secretary Canning.—Well, any "considerable armament;" and, let them see, if the honourable and learned gentleman tried other powers fairly, by this rule. What we had a right to say of France, France and other countries had a fair right to say of us. They might declare that they would consider any armament sailing from the ports of England for South America, as a British armament; and his honourable and learned friend would admit, that this kingdom was at least as responsible for what was done upon her own soil, as France was responsible for what was done in Spain. Now, he said, that the Foreign Enlistment Bill alone prevented the fitting out of armaments in British ports, and that the Alien Bill alone kept foreigners under controul, and prevented their treasonable machinations. If you stripped the Crown of the powers thereby given, there was no physical impediment to any number of foreigners, whether beaten or triumphant, coming to Plymouth or Portsmouth, fitting out an armament there, and sailing with it for the conquest of South America, whether for Ferdinand or his enemies. If France were to place herself in such a situation, we should instantly assert that it afforded a ground for going to war.

It was ridiculous, then, to deny that, if we pursued the same line of conduct, we might be justly called upon to

answer for it in the penalty of hostilities. Then he maintained that it was for the interest of England, for the peaee of England, and not merely for the interest and peace of foreign nations, that we should retain, and when needful, enforee these measures. God knew when we should see the end of the prevailing agitations—when the struggle of opinion and prineiple would terminate! No man eould wish for it more than he did; but he claimed these bills in order that we might not be fooled, gulled, bullied, eheated, deeeived into hostilities in which it was never our intention to engage. He elaimed them for the preservation of peace —for the preservation of the charaeter, reputation, and good sense of this country—to prevent it from being the laughing-stock and the dupe, instead of being the dread and the support, of Europe; and that she might not be made by foreigners the starting-plaee of their animosities. So long as these extreme parties were in presenee of eaeh other, no measure but this Alien Bill eould save us from danger; and the moment we parted with it, we voluntarily ineurred the hazard. We should then justly subjeet ourselves to the suspicion, that we had thrown this security away with the express intent of affording the faeilities of our shore, and the eonvenience of our harbours for the promotion and eneouragement of warfare; and he eared not whether that warfare was in favour of the one side or the other. Let us not deeeive ourselves by supposing that the ehampions of freedom would make no use of our means and our ports. We well knew that, at this moment, there was seareely a power in Europe that was not colleeting from the capitalists of Great Britain the sinews of war—that there was seareely a single power that did not look for resourees to the exehequer of our exehange. He did not mean to justify the moral charaeter of such loans; but we were all aware that our monied men lent indiscriminately to

all parties, without reference to any other consideration than the security which the borrower had to offer. In the best days of our Constitution, it was known that hostile armies were led by English captains, whose resources were the springs on which the power of each side rested. The money-lender lent to each, and would lend wherever he got a security. He should therefore be sorry to trust the neutrality of the country to the morality of money lenders; for get rid of the Foreign Enlistment, and let Ferdinand once show a little strength, and we should soon see him aided by the capitalists of this country, and an expedition sent from our ports, making another effort to crush the rising liberties of South America. It was to prevent such a result that he was unwilling to part with the power which the Crown at present possessed by the acts now in force. He would maintain a strict neutrality, not only in act and deed, but he would reject any of those little flirtations that might tend to the violation of it. He hoped never to see England leading those armies which contended for extreme freedom against those who were called the despots of the continent. And here he was aware that he must, as he had often done before, guard himself against the contrary supposition. To those who thought, or said that they thought that the measure upon the table had been produced at the dictation of any foreign government, or any set of governments, he replied that he denied it, and he claimed that his denial should be as good as their imputation. He said it in the hearing of the Commons of England—he said it, thank God, in the hearing of the whole country; and, what was more to his purpose, he said it in the hearing of all those against whom the imputation was made—he rejected it as unfounded—he denied it (not in any offensive sense), as utterly false. Dearly as he valued all the ties by which European nations were held together, there was

not a connection that he would not sever at once, rather than allow any measure brought forward in that House to originate in a foreign source. He denied that this bill proceeded from foreign influence, or that it was at all founded upon considerations of the interests of other states.

The question therefore was, whether for the purpose he had mentioned, the provisions of the bill were adequate or too powerful—whether they trenched more upon individual liberty than was necessary for our domestic policy? He took the liberty of assuming, that the purpose of the bill was the purpose of the House; because the measure was consonant with its recorded votes. What, then, did the bill do? Did it enable Government to punish or imprison, to seize and to confiscate? No, it only empowered them to remove from the kingdom the foreigner who, there was reason to suspect, was violating the asylum that had been afforded him. Lest, too, there should be any temptation to turn the power to any other account, there was an appeal to the Privy Council. He did not mention it as an effective process of law, but it ensured notoriety. And who did not know that, in this free country, where a Minister was compelled to act in the open face of day, nine times out of ten he dared not act otherwise than in the honest discharge of his duty? This bill then enabled Government to remove the foreigner; and a still more valuable and a more available consequence of that power is, that it enabled them to permit him to remain. One example in point was as good, or better, than a thousand arguments, though they might be in point also. It had been his fortune, a short time since, to receive intelligence, of the authenticity of which he could not doubt, of a plot being in agitation among certain emigrants against the peace of their native country. The plot was well got up, plausible in its object, and not deficient in means. This information, as it was his duty,

he had communicated to his right honourable friend (Mr. Peel.) His inquiries had led precisely to the same conclusion. What was done? Did they enforce the provisions of the Alien Act? Did they send the parties accused, and to whom the plot was brought home with moral certainty, out of Great Britain, to be exposed to the vengeance of irritated royalty? No; they had desired to see the individual principally implicated. They told him they were aware of the design, and informed him of the names of his associates. He did not deny its existence, though, as might be expected, he did not confess his own participation. They bade him go and be cautious; adding, that they should let his Government know of the discovery of the plot, but conceal the names of the parties. In his conscience, he believed that they had thus prevented the completion of the scheme. Was this, he asked, an instance of abuse of the powers of the Alien Bill? The case to which he referred happened within the last fortnight; and while his right honourable friend and himself were hesitating about this measure, this incident occurred, and completely satisfied them both that they would not do their duty if they did not propose it to Parliament. Now, then, the House had the history of the origin of this bill; and it knew the intentions of Government in endeavouring to make it an enactment. He asked, then, honourable gentlemen on the other side, whether in the enactment or in the mode in which it had been applied, they saw any thing that roused their constitutional jealousy. But he mistook when he talked of their constitutional jealousy—he ought rather to say their continental jealousy. When this instance had been mentioned by his right honourable friend on a former night, a noble lord (Lord Althorp), who did not often deliver his opinions upon foreign policy, but when he did, what he said always bore the stamp of good sense,

suggested that all the advantage to be derived from a temperate use of the powers of the Alien Bill, might be attained by an Act of Parliament brought in for each specific case. The noble lord had had some experience in Acts of Parliament—he had one now before the House for correcting the practice of certain small courts, and when he got rid of that, he would really beg of the noble lord to try his hand a little further at legislation, and bring in a bill to arraign a foreigner in this country of treason against his own. At least he would have to encounter the difficulty of being without a precedent, in the history of any state, ancient or modern. He only requested the noble lord when he went home that night, to try his hand at framing such a bill; and, depend upon it, even the mighty undertaking of regulating the county courts would sink into insignificance before it. He must not only try a new mode of legislation, but must erect new courts for his purpose, such as hitherto the imagination of man had never conceived.

That some measure should be devised by which a certain power over aliens should be granted to the Crown at the expiration of the present law, he would repeat; but in the mean time, the present would act upon the principle that prevention was better than cure; and he thought it better to act in that way which would secure the interests of this country without inculpating individuals. He would repeat then, that in the present state of the world, such a measure as that before the House was necessary. What satisfaction would it be to any foreign power, against whom secret combinations were plotting, and by whom we might be accused of suffering such practices to be carried on—what satisfaction, he would ask, would it be to say, that we had caught the party, and were about to try him by a law made for the purpose? Such a proceeding would not be so much our proper policy as to take steps by which the

practice might be prevented altogether. He admitted that, according to the present law, the innocent was often subject to inconvenience as well as the guilty. That must be the effect of all general laws; by the very nature of them, the innocent must be subjected to inconvenience. To detect the guilty, it would be necessary to cast the net very wide.

He must, before he sat down, protest against another species of exaggeration, which he found to exist on this question. He meant that disposition to take it for granted, that all foreigners who fled from their own country to seek an asylum in this, must be models of their kind—more angels than men, though somewhat fallen, and with at least "the excess of glory obscured," heroes of the noblest order, and patriots of the purest water; forgetting the ancient jealousy which existed, with respect to the coming of foreigners into this country. Did they forget the lines—

> "London! the needy villain's general home,
> The common sink of Paris and of Rome."

He did not say that the Alien Bill had completely effected a beneficial change; but it was not to be taken for granted that because a foreigner came to this country, he was persecuted and driven away from his own. Besides these illustrious heroes—these immortal patriots—these champions of freedom, and martyrs—there were to be found pimps and quack doctors, "*et id genus omne*," a striking instance of which was to be seen in a recent case at Manchester. He by no means intended to convey an impression that all aliens were of this description; but he thought when gentlemen on the other side assumed that none but heroes and patriots arrive here, he had at least as good a

right to assume, that persons of a very contrary description also found their way to our shores. All he contended for was, that there was a necessity for some such supervision—that the Alien Bill was addressed to the specific danger of the times, and that it had hitherto been found effectual in suppressing, or he should rather say, in preventing it. He had not heard even an insinuation of an abuse of its powers. He would conclude as he began, with expressing his hope that the measure might not outlive the term for which its renewal was now proposed. Whenever the danger was at an end, he would return, with all his heart, to some more mitigated and moderate system of legislation; but for legislation upon this subject, he should still be an advocate, for the House would ill perform its duty to the public if it left the Government without the means of protecting the country from the dangers to which he had adverted.

The House divided.—

For the Second Reading	152
For the Amendment, "That this Bill be read a second time this day six months".....	92
Majority	80

MISSIONARY SMITH, OF DEMERARA.

JUNE 11th, 1824.

The order of the day was read for resuming the adjourned debate on the motion made by Mr. Brougham on the 1st

instant, respecting the trial and condemnation of Missionary Smith, at Demerara. The following is the Address moved by the honourable and learned gentleman :—

"That an humble Address be presented to His Majesty, representing that this House, having taken into their most serious consideration the papers laid before them relating to the trial and condemnation of the late Reverend John Smith, a missionary in the colony of Demerara, deem it their duty now to declare, that they contemplate with serious alarm and deep sorrow the violation of law and justice which is manifest in those unexampled proceedings; and most earnestly praying, that His Majesty will be graciously pleased to adopt such measures as to his royal wisdom may seem meet, for securing such a just and humane administration of law in that colony as may protect the voluntary instructors of the negroes, as well as the negroes themselves, and the rest of His Majesty's subjects, from oppression."

Mr. Secretary Canning said:—

Whatever difference of opinion may prevail with respect to the vote to which the House ought to come on this occasion, and whatever shades of difference there may be even among those who may concur in the same vote, there is one point on which I think the opinion of all who hear me will agree,—and that is, that the question of this night is one of the most painful that ever was discussed within these walls. Indeed, Sir, I scarcely recollect any one question upon which I could say, what I feel that I must say upon this—that there is no part of it on which I can look with the

smallest satisfaction. To many of the principles which have been enforced in this debate with so much eloquence, I am disposed to give my hearty assent. But I entirely differ from my honourable friend who spoke last, as to one part of his speech, although I admit that, generally speaking, my honourable friend has put the question on a fair issue. I allude to the assertion, that the House is placed in the dilemma of being obliged either to contend, on the one hand, for the perfectness and propriety of every part of the proceedings of the court-martial, or, on the other hand, to be prepared to assign to the unfortunate gentleman who was the object of these proceedings the title or the honours of a martyr. I, Sir, am not prepared for either of these extravagant extremes, and I do hope to be able to satisfy the House, that they will best discharge their duty to all parties concerned in this transaction—to themselves and to the country—by abstaining from pronouncing any such exaggerated opinions. Sir, it may be a very skilful and masterly artifice of debate, to endeavour to throw upon those who do not agree to the Resolution proposed by the honourable and learned gentleman the task of proceeding step by step through every stage of this protracted, anomalous, and difficult proceeding; and of explaining step by step as they go on, the grounds which justify them in dissenting from that Resolution. For my own part, I do not hold myself

bound to do any thing of the kind. In dissenting from the Resolution of the learned member for Winchelsea, I shall be solicitous only to justify that dissent on grounds which appear to me to be perfectly sound and satisfactory, without necessarily identifying my opinions with those of the persons by whom Mr. Smith was tried, or maintaining in all its parts the sentence by which Mr. Smith was condemned.

Sir, the charges which are brought against the proceedings of the court-martial seem to resolve themselves into three principal heads—first, the impropriety of the tribunal; secondly, the incorrectness of its mode of acting; and, thirdly, the violence of the sentence;—all which charges are aggravated by the assumption throughout, that Mr. Smith was entirely innocent. Sir, it has been stated, that no man can dissent from the honourable and learned gentleman's Resolution, who is not prepared to maintain the guilt of Mr. Smith to the utmost extent to which that guilt has been assigned. Here I am again compelled to declare myself of a different opinion; and, without wearying the House by repeated reference to the particulars of the evidence (which has already been discussed with so much ability, as to have impressed on every man, who has gone through the duty of previously reading it, a complete analysis of all its parts and all its bearings), I have no difficulty in stating the honest persua-

sion of my own mind to be this, that of that crime, call it by what name you will, which consists in the silence of Mr. Smith upon the subject of those alarming movements which he knew to be in agitation, and a danger which he knew to be imminent, I cannot acquit Mr. Smith. I state this persuasion, however, with no circumstances of aggravation—with no imputation of design on the part of Mr. Smith—with no presumption that I can dive into the motives of that individual. But as to the fact, after the most painful examination, I feel individually, upon my honour and my conscience, a persuasion that Mr. Smith did know that, which, if he knew its character, he ought to have divulged, and of which, if he had had only common discretion, the character must have been apparent to him.

Now, Sir, whether the law of Demerara, as derived from its Dutch constitution—whether the law of courts-martial, as sitting under the Mutiny Act—whether martial law, in its larger sense—assigned to that crime, under the peculiar circumstances of the case, that punishment which, by the sentence of the court-martial, was awarded to it, is a question on which, from my own sources of learning and information, I do not pretend to decide. But when the House are called upon to inculpate the court-martial of murder (for that is the effect of the proposition before us), the questions that I am to ask myself are, "Did the court-

martial believe that they were acting legally in passing that sentence? and were they borne out by authority in doing so?"

I will add, that I should have a very different task to undertake, and I should stand up in this House with a much heavier feeling of responsibility, if I were defending, or called upon to defend, a confirmation of that sentence; because I should then have to defend an act of the Executive Government, of which I form a part, adopting that sentence as their own; in which case I should be bound to show, and to prove, that the sentence was in every part legal. From the authorities that have been cited, I do believe the sentence to have been legal; but, under all the circumstances under which it was passed, it was felt by His Majesty's Government, as is I believe already well known to the individual members of the House (but it is fit that it should be distinctly stated in this debate), that the sentence should not be carried into execution. Upon this point there was not a dissentient voice, nor a moment's hesitation in His Majesty's Government. I stand here, therefore, not to defend the moral propriety of passing and executing that sentence, but only to vindicate the vote which, as a member of Parliament, I shall give, for not condemning unheard the tribunal by whom that sentence was pronounced.

Sir, another circumstance, which appears not to have been stated in this debate, but which

seems to be a very material one, is this: that, in pronouncing that sentence, the tribunal itself pronounced it in a way to afford the prisoner that only benefit, belonging to the law of Demerara, which my honourable friend has said that he would have enjoyed if tried by that law (but a benefit which would have been counterbalanced by many disadvantages of that mode of trial)—I mean, the advantage of appeal: for, with the sentence was coupled the recommendation to mercy; a recommendation which in this case was not, as it often is, formal, and liable to be ineffectual, but which, as those who coupled the recommendation with the sentence must have known, carried with it its own execution. They knew it to be utterly impossible that a sentence of death, pronounced at Demerara under martial law, could be remitted to the King in council sitting here, not under martial law, but in the free light and liberty of this country—they knew, I say, that it was impossible that a sentence of death so remitted home with a recommendation to mercy, should be otherwise than completely null.

Now, Sir, it is no fault of mine, that at the period at which we are now called upon—not to institute inquiry, not to demand new lights, but to pronounce a sweeping condemnation under the circumstances as they appear before us—it is no fault of mine, that I am obliged to resort to conjecture, as to the considerations which may

have prompted the severer rather than a more mitigated sentence. It undoubtedly occurs to many men to ask, why, if the sentence of death was to be coupled with a recommendation to mercy, the court-martial did not rather, in the first instance, apply some lenient sentence, which might have been executed without shocking the feelings of any portion of mankind?—why not transport from the colony?—why not inflict a lesser degree of punishment, by imprisonment? Why, Sir, the reason, I can conceive—I do not say it is so—but the reason may be this: because any minor sentence, be it what it might, transportation or imprisonment, must have been carried into immediate effect, without any pretence for appealing to the Government at home. The capital sentence, with the recommendation of mercy annexed to it, while it appeased (for I do not deny that a great deal of irritation did exist in the colony)—while it appeased, I say, the inflamed passions of the colonists, in effect preserved the victim from the fate to which it appeared to consign him.

But, was it only on the knowledge of the sentence itself that the feelings of His Majesty's Government were awakened to the state of that colony, and as to the possible consequences of a judicial proceeding there? No, Sir! My honourable friend must, I think, have known, and I dare say remembers, that, at the period when the first

news arrived in this country of the arrest of Mr. Smith, and of his probable destination for trial, application was made to His Majesty's Government to rescue him from the tribunals of a country where the minds of the population were inflamed against him, and to bring him home for trial. I do not know whether my honourable friend is aware, that the immediate consequence of that application was, an order from the Secretary of State, to direct, that, if the proceedings were not already begun, Mr. Smith should be sent home, unless the attempt to do so were likely to endanger the peace of the colony. We were not then aware, Sir, what the circumstances of the case might be—the charges were not then before us. Unluckily, the order did not arrive in time—the proceedings had already been carried to a conclusion—but, still, the order itself showed the disposition of the Government here; and it operated, when known there, as an additional inducement to the colonial government to take Mr. Smith, as far as possible, out of the reach of the local prejudices against him.

But the character of the tribunal is not to be inferred from that of the colony. Their fault, if they be in fault, is the fault of a competent tribunal; with respect to whom there is not the slightest ground for presuming partiality *à priori*. What reason is there, then, why the House of Commons should do that in this case, which, with

respect to the most ordinary magistrate, the highest legal tribunal in this country would not do—namely, condemn as criminal an act of competent jurisdiction, where malice or corruption is not imputed? Now, Sir, surely gentlemen must know, and especially the honourable and learned gentleman who spoke last but one on that side of the House, that the more they press the fact, that the colony was inflamed against Mr. Smith, and that it was utterly impossible that by a colonial tribunal he should have been judged fairly—the more they press that argument, the more ought they to agree with me, that the Governor did his best to counteract the effect of that exasperation, and to ensure to the prisoner a fair trial, when he withdrew him from that colonial jurisdiction which, by your own showing, must have been unfair as against him, and gave him over for judgment to a tribunal composed at least of unprejudiced men—of men untainted with colonial prejudice—and with respect to whom no man suggests that there was any personal disposition to do injustice. Taking this view of the case, how, let me ask, would the Resolution before the House operate? Would it be calculated to restore that feeling which it is so desirable should exist in the colony? I think not. What consequences can my honourable friend apprehend from the forbearance of the House to pronounce the severe censure proposed by the honourable and learned gentleman? If I for one

moment conceived, that by passing by this sentence on the present occasion a feeling would be excited in the minds of the inhabitants of any of our West India colonies, that either Parliament or Government were desirous of going back from the promises they had made, that religious instruction should be the basis of all the future improvement of slaves—if it could be imagined that they could be likely to adopt some of the opinions expressed in resolutions passed in that colony—I do not say, Sir, that I should be contented to purchase the exemption from that danger by committing an act of injustice, such as in my conscience I think the condemnation of the court-martial would be; but there is scarcely any resolution to which I would not give my assent, rather than submit to be so misconstrued. But I assure my honourable friend, that I believe it to be impossible that the opinion either of the Government or of Parliament should be so misconstrued. The opinion of Parliament may be gathered, as well from what passes in this debate, as from any recorded resolution. The colonists cannot be mistaken, they are not mistaken, with respect to the opinion of the Government. We know that by the surest of all tests; we know it by the hostile animadversions which are heaped upon us by the resolutions of that colony, first, for having attempted to withdraw Mr. Smith (as they say) from justice; secondly, for not allowing the sentence to be

executed; and, thirdly, for being disposed to press new instruments of instruction on their acceptance. They well know, that the not condemning, that the passing by without any condemnation, the proceedings of this court-martial, the coming to no resolution upon it, has nothing in common with any disposition to recede from the pledges which have been given, or to retract the opinions which have been declared.

Sir, my honourable friend has stated another instance which he thinks might come in aid of the apprehension which he entertains—I mean, the destruction of the chapel and the expulsion of the missionary from Barbadoes. But my honourable friend surely ought to have completed the picture; it would have been more candid—and I am sure it was only from forgetfulness, and not from want of candour, that he omitted—to add, that that missionary, so expelled by a tumult from Barbadoes, found shelter in a neighbouring island, in the island of St. Vincent, where he founded a new establishment. As to Demerara, my conviction is, that the notice which this case has attracted, and for which I think the honourable and learned gentleman is entitled to our thanks—I think the notice this case has attracted, and the mode in which it has been treated in this House, cannot fail to show the colony of Demerara, that, whatever may have been the guilt or imprudence of any one individual, and however desirous they

may be to put down religious instruction (and if such was their design, they have been, to a certain degree, lucky in the selection of their first victim), that in the person of that individual, the spirit of religious instruction is not extinguished; and that the colony would find enough to be convinced that theirs was not a triumph over this individual as a missionary; and that many such triumphs (if triumphs they should be called) would only hasten the final triumph over all attempts to shut out instruction.

I therefore think, Sir, that the House need not entertain any apprehension of any practical mischief from adopting the motion with which I shall take the liberty to conclude—a motion, the object of which is only to avoid a decision to which I think we cannot come without injustice. The motion which I shall propose to the House is the "previous question;"—a proceeding which will not give to the colony of Demerara any ground for supposing that there is any disposition at home to approve in detail what has been done in the colony; but which shall, at the same time, rescue from injustice men who have acted as conscientiously, perhaps, as we could have done ourselves, in the discharge of a most painful duty—a duty not sought for by them for the purposes of vengeance, or from a spirit of hostility, but cast upon them for the express purpose of rescuing this man—(this innocent man, as is contended on one side;

but this man whom I in my conscience believe to have been guilty, though I will not undertake to define his crime)—of rescuing him from a tribunal in which he would have been heard with prejudice, and judged with the extremest severity.

Sir, I am unwilling to dwell on any other parts of the question besides those which I have touched upon; but I must shortly say, that the points of charge against Mr. Smith, which I think it impossible to get over, are these: his knowledge that something was in agitation — a something, the knowledge of which went back beyond the 18th of August, though it was not till that day that he clearly comprehended the exact nature of it. He admits, that the receipt of the letter, on the 18th of August, withdrew the veil from his eyes. I feel as strongly as any man the sentiment of (what shall I call it?) disgust, at the publication of the details of Mr. Smith's journal; and, if I were trying Mr. Smith I hope I should dismiss them entirely from my mind; but the question that I am now trying is, whether there was that degree of innocence in Mr. Smith which calls upon me to condemn his judges? and, in that view of the question, I cannot throw out of my mind the moral conviction which the knowledge of Mr. Smith's feelings and opinions, however obtained, is calculated to produce. It is clear that he did generally apprehend some convulsion in the colony—an apprehension perhaps not distinct

either as to mode or as to time; but he was of opinion, that there were not only the elements of convulsion, but strong probabilities of their explosion. And why do I state this circumstance? Why, Sir, because, to a mind so prepared, it was almost impossible that such information as Mr. Smith received could have appeared so undeserving of attention as he represents himself to have considered it.

If I had known—if it had been apparent, from the disclosure of his journal, or from any other source—that Mr. Smith was a man living in perfect unconsciousness of any danger; in a state of mind completely unapprehensive of any thing likely to lead to tumult or confusion; and that, whilst in this unsuspecting temper, some facts of an equivocal nature had come to his knowledge; I might, in that case, have believed it possible that a man so totally unprepared might disregard such circumstances altogether. But when, by his own confession, his mind was in habitual expectation of some such event as did actually occur, it appears to me, I own, that not only it is not in human nature that information such as he received should excite no suspicion; but that, on the contrary, in a mind so prepared, "trifles light as air" would have excited suspicion, even without a cause. I find Mr. Smith's mind previously impressed with a general dread of some undefined danger: while he is under that impres-

sion, there comes to him a specific communication of at least an equivocal character; and this communication, he avers, awakens in him no particular apprehension. Sir, I cannot believe it. Mr. Smith admits that the letter of the 18th of August led back his awakened judgment upon the communication previously made to him, and showed to him its true nature. And what does he do with that letter? He tears it into pieces, and holds his tongue as to its contents! Why, Sir, I cannot think that this is the act of an entirely innocent man. Is it not rather the act of a man conscious of guilt and apprehensive of personal danger? Here, Sir, I am aware of the technical objection that nothing ought to have been brought against him on the trial which had occurred before the proclamation of the Governor. I admit, that, if I were now trying Mr. Smith, I would try him by the strict rules of evidence, and give him the benefit of every technical objection; but the question before me now is, whether the conduct of the court-martial was such as could only have arisen from malicious motives? and if, in my own mind, I am conscientiously convinced that the *corpus delicti* was there, I cannot join in condemning the court-martial, even although in their place I might not have come to their conclusion. I would not have taken advantage of a knowledge of Mr. Smith's secret thoughts to convict him; but, in reviewing historically the question whether he

was wrongfully, as well as perhaps irregularly, found guilty, I cannot shut my eyes to that evidence. Why, good God! that a man, habitually expecting some commotion, could receive without alarm the communication that a "push" was to be made! (such, I think, was the expression): is that credible? Was it to be believed of Mr. Smith that, as Mirabeau said of the planters in St. Domingo, "they sleep on the verge of a volcano, and the first sparks that burst from it give them no alarm?" Mr. Smith was well aware that he was sleeping on the verge of a volcano; the first sparks could not be invisible to him; and yet it was not till the explosion took place that he conceived the smallest apprehension! Do I therefore impute to Mr. Smith, either the wickedness or the folly of promoting or conniving at insurrection, with a view to any personal ambition of his own? Oh, no, Sir; no! I will not impute to him any other motive for concealment, than that sentiment which is common to all men more or less, and which, perhaps, belongs to refined and sensitive natures more than to any others—an unwillingness to betray, a horror of the name of "informer." But, while I morally make this excuse for him, it was surely no excuse before a court-martial, or any legal tribunal. Military law, or any other law which takes the safety of communities under its protection, is not at liberty to indulge those finer feelings. Who is

there, who, in reading the scene between Pierre and Jaffier, after the council is over, in which they had planned the shedding of so much of their fellow-citizens' blood—who is there, who, after hearing the vows of fidelity interchanged, does not feel an involuntary contempt for Jaffier, when he gives information of their plot, even though so many lives were to be saved by that act of the informer? However one may rejoice at the consequence of the information, one will detest the informer. But although such may be the code of honour in poetry, and such the colouring of sentimental enthusiasm, such is not the doctrine of morality, nor can such be the practice of ordinary life. We cannot, in administering justice, and in consulting the safety of the community, soften down the language of the law, and call misprision delicacy, and concealment an honourable fidelity! If the state is to be saved, it must be rather by the practice of duties, harsh though those duties may be, than by the indulgence of romantic generosity. To betray a friend in betraying the plot, may be a hard struggle; but if, by faithfulness to that friend, you ruin your country, your country will vindicate its right, and your life may be the forfeit of your friendship. Such, I say, is the language of law and justice, and such the duties of allegiance to a state. Mr. Smith must, in this whole question, be considered as a subject of the colony in which he lived. Giving him, therefore,

every credit for unwillingness to bring to punishment those who had eaten his bread and crowded around his threshold, and perhaps for a little of human vanity, in not liking that examples of misconduct should be detected in his own particular congregation; making every allowance for these feelings, laudable perhaps on one side, and natural on the other, I cannot forget that Mr. Smith was a subject of that colony, and owed allegiance to its government; and if he was conscious, as conscious, in my opinion, he must have been, of a danger threatening its peace, it was his duty to give information, at whatever cost that information might be given. But, Sir, was it necessary, in giving that information, that he should bring down punishment on the slaves? I say, no: he might have stated to the magistrates of the place that which he confided to his own journal, that he had a general apprehension of danger; and that circumstances had lately come to his knowledge which made him believe that danger to be at hand. Nay, might he not have stipulated for the safety of those whom his intelligence involved? Did that never occur to him? Did it never occur to him, when he was called on under military law, and refused to serve, partly on the mistaken ground of his profession, and partly on the ground of his weakness; did it never occur to him that there was another way in which he could have discharged his duty to the colony? Did it never

occur to him, that, having gained over his congregation a holy and just influence (to which be it admitted that his doctrines and his life might entitle him), he might have said, to those who called on him to "arm," "No! it is not with arms like those that I can serve you; but I have spiritual arms, of brighter temper and greater force; send me into the field amidst this tumultuous congregation, and I answer for it, that they shall return, through a sense of religion, to their duty." If Mr. Smith were the excellent person that he is represented, such is the influence that he might naturally have possessed, and such is the use which he would naturally have made of it. He did not do this: he withheld information; he passed, on the day before the insurrection, by the door of the Governor twice, in going from his own house and in returning to it; he passed, and he paused not a moment to warn the Governor of the impending danger.

Sir, I enter not into his motives. I lament many parts of his trial, and most deeply do I deplore his fate; but I do not see, in the proceedings that have been had against him, either, on the one hand, that entire exculpation which entitles Mr. Smith to the glory of martyrdom, or that proof of *malus animus*, on the part of his judges, which ought to subject them to such a sentence as the Resolutions proposed to us imply. I think, Sir, that the House will best discharge

its duty by taking no further cognizance of the question, on which it is utterly impossible to come to a completely satisfactory judgment. And I propose this mode of disposing of the question with the more confidence, as I am satisfied that the discussion itself will have answered every now attainable purpose of public justice; and that we cannot be misinterpreted, as intending by our vote to show any lukewarmness in the cause of the improvement of our fellow creatures, or in our belief that religion is the instrument by which that improvement is to be effected.

The previous question being put "That the question be now put,"

Ayes	146
Noes	193

Majority against Mr. Brougham's Motion 47

RECOGNITION OF THE INDEPENDENCE OF SOUTH AMERICA.

JUNE 15th, 1824.

Sir James Mackintosh this day presented the following Petition from the Merchants of the City of London, which he introduced by a speech full of eloquence, and abounding in the most liberal, enlightened, and statesman-

like views, illustrative of the sound principles laid down in the following petition:—

"To the Honourable the Commons of the United Kingdom in Parliament assembled. The Petition of the undersigned Merchants of the City of London,

"Showeth—That your Petitioners are engaged in trade with the countries in America, formerly under the dominion of Spain.

"That the entire extinction of Spanish authority in the greater part of that continent, and the encouragement by the Government at home, induced your Petitioners to embark in that extensive commerce, with full confidence that it would receive the most complete protection, and ultimately prove most beneficial to themselves and the country at large. The measures adopted by Government most decisively demonstrated the anxiety to acquire and secure this intercourse.

"In the session of 1822, an Act of Parliament was passed, cap. 43, authorising the importation of goods, the growth, production, or manufacture, of 'any country or place in America, being or having been a part of the dominions of the King of Spain,' either in British ships, or in ships the build of those countries. In the following year, consuls were appointed to proceed to the ports thereof, and subsequently there has been made public the declaration of His Majesty's Government, that, in its opinion, 'the recognition of such of the new states as have established, *de facto*, their separate political existence cannot be much longer delayed.'

"Your Petitioners further humbly represent, that many millions of capital have already been embarked in this trade; that large commercial establishments have been

formed both in South America and at home: and that past experience affords the strongest ground for believing that this commercial intercourse will admit of great extension, the reciprocal demand for the productions of the respective countries being constantly increasing.

"Your Petitioners consequently find themselves greatly embarrassed by those countries remaining 'without any recognised political existence.' Not a week passes but they are assailed with rumours of the most alarming kind, involving their proceedings in doubt, hesitation, and distraction, and grievously destructive of that confidence so essential to the success of all commercial undertakings. Your honourable House must be well aware that no commercial intercourse can be permanently carried on with security and advantage to those concerned, if it is rendered liable to fluctuation by constant alarms of political changes, necessarily producing sudden and excessive alterations in the value of the property embarked.

"That your Petitioners are enabled to state, and to prove unequivocally to your honourable House, that, in the several states of Colombia, Buenos Ayres, and Chili, there does not remain the smallest vestige of Spanish dominion in any shape: each state enjoying its own Government separate and independent from all interference of a hostile force.

"That the revolution which has produced this alteration in the political condition of these countries, has now been in progress fifteen years. In Buenos Ayres there has not been a Spanish soldier in hostility for eight years. In Chili there has been none for four years; and in Colombia the third annual Constitutional Congress is now sitting. In none of these states does there exist any party, or persons in possession of power or authority, excepting the constituted Executive Government.

"Your Petitioners, therefore, humbly submit that these states have established, *de facto*, their separate political existence; and are, according to the practice of nations in former instances, entitled to be recognised as independent governments; but they would not have presumed to have addressed your honourable House on a question of this nature, if the continued delay in recognising this political existence did not produce the most detrimental consequences to the commercial transactions in which they are concerned.

"Your Petitioners, therefore, most humbly pray that your honourable House will take this question into its serious consideration, and adopt such measures as to its wisdom may seem fit, for promoting the immediate recognition of the independence of such of the states of South America as have, *de facto*, established the same. And your Petitioners, as in duty bound, will ever pray."

On the question that it do lie on the table,

Mr. Secretary Canning said: — Unquestionably, Sir, I am very far from having any thing to complain of, either with respect to the tone or topics with which my honourable and learned friend has introduced his speech; and if the observations which I shall feel it my duty to make upon that speech, or the petition upon which it is founded, shall bear but a small proportion to his address, I hope he will do me the justice to believe, that it is not in consequence of any offence at what he has said, or any disrespect for his opinions. But, my honourable and learned

friend must be fully aware, that though there are, in what he believed might be called the late Spanish colonies, great questions involved, any thing which may fall from me, on the part of His Majesty's Government, would be likely to produce effects, which neither he nor I could wish to witness. I, therefore, must rather restrain every disposition which I feel to follow my honourable and learned friend through the various topics upon which he has touched, and confine myself, as much as possible, to a simple statement of facts, with no other qualification than a full and clear understanding of them.

My honourable and learned friend has gone over the papers, formerly laid on the table, and given a just analysis of the course hitherto pursued by His Majesty's Government, with respect to the South American colonies. He has justly stated, that the first question, in point of order, for their consideration, was the question between the parent state and her colonies; and that the course laid down by Ministers, was one of strict neutrality. In doing this, it was also right to observe, that allowing the colonists to assume an equal belligerent rank with the parent country, we did, *pro tanto*, raise them in the scale of nations.

His honourable and learned friend had justly said, and it was also stated by the petitioners, that, in the year 1822, the extent of the com-

merce then existing between this country and the colonies of Spain, led to another *de facto* recognition of their separate political existence: we recognized their commercial flag, which was admitted to the same advantages as the flags of independent states in amity with England. He has also most correctly remarked, that the next step was taken before the breaking out of the war between France and Spain: an intimation was at that period given to Spain, privately in the first instance, and afterwards publicly to the whole world, that to the British Government it appeared, that time and events had very substantially decided the question of separation; but that the fact of recognition must be determined by various circumstances, and, among others, by the internal state of each of the colonies so claiming recognition.

My honourable and learned friend further stated, with the same accuracy, that after that declaration made to Spain—after the publication of that declaration, which left neither to Spain, nor to any other power, cause of complaint—if Great Britain should think fit to act practically upon it, the circumstances of the last year induced this country to suspend even the consideration of that question—to suspend the mission of commercial agents to South America—and to remain inactive and undecided, until the decision of the contest in which France and Spain were engaged.

Immediately after the decision of that contest, or rather, I should say, at the moment of its decision, and before any consequences could arise, and any step be taken by France, or by other powers of Europe, a warning was given by this country, in the clearest terms, as to the course she would pursue on any proposal for a joint conference or congress on the affairs of Spanish America. My honourable and learned friend has faithfully recalled to the recollection of the House, the particular expressions of that warning.

The next stage in the course of these transactions, was the proposal, on the part of Spain, that this country should become a member of such a congress, and join in such a conference. That proposal was followed by our refusal. On the mode in which that refusal was made, first as it related to Spain, and next as it referred to the colonies, the House is already so perfectly advised, that it is not necessary for me to dwell upon it. Since that period (and this forms the last stage of these transactions), a public discussion has taken place in this House. The state in which things remained the last time the question was agitated within these walls, was this. It was stated, that the King's Government, though reserving to themselves the right of acting as they should think fit, in reference to the interests of Great Britain involved in those colonies, yet thought it not merely politically expedient, but

just and generous, to afford Spain the opportunity of precedency, and absolutely to suspend any decision, until they knew in what way she would avail herself of that opportunity.

What I have now to state is, that that condition is at an end, and that, with respect to any further steps to be taken by this country towards the Spanish American colonies, she must act for herself. What has passed upon this point between the two cabinets, it is not necessary for me to particularize; but the result is, that the British Government is left to act upon its own decision, without further reference to Spain. Such is the result I have to state, and the only communication I have to make to the House ends. I trust honourable gentlemen will see, that in stating what is a fact, I avoid, rather than incur, the danger to which I referred, and which might arise from the agitation of this question. I apprehend that I should run the risk of that peril, if I were to state any ulterior, conjectural, or even hypothetical case; I shall, therefore, carefully shun it. Here I should conclude what I have to address to the House, were I not glad of the opportunity afforded me by the speech of my honourable and learned friend, and which opportunity I undoubtedly thanked him for, of putting on its true ground, and in its just light, the expression of "recognition" which has been so much mistaken.

It is perfectly true, as has been mentioned, that the term "recognition" has been much abused; and, unfortunately, that abuse has perhaps been supported by some authority; it has clearly two senses, in which it is to be differently understood. If the colonies say to the mother country, "We assert our independence," and the mother country answers, "I admit it," that is recognition in one sense. If the colonies say to another state, "We are independent," and that other state replies, "I allow that you are so," that is recognition in another sense of the term. That other state simply acknowledges the fact, or rather its opinion of the fact; but she confers nothing, unless under particular circumstances, she may be considered as conferring a favour. Therefore, it is one question, whether the recognition of the independence of the colonies shall take place, Spain being a party to such recognition; and another question, whether Spain, withholding what no power on earth can necessarily extort by fire, sword, or conquest, if she maintain silence without a positive refusal, other countries should acknowledge that independence. I am sure that my honourable and learned friend will agree with me in thinking, that his exposition of the different senses of the word "recognition" is the clearest argument in favour of the course we originally took: namely, that of wishing that the recognition in the minor sense should carry with it recognition

by the mother country in the major sense. The recognition by a neutral power alone cannot, in the very nature of things, carry with it the same degree of authority, as if it were accompanied by the recognition by the mother country also. If, therefore, the Government of Great Britain had looked exclusively to the interests of the colonial states, she would reasonably pursue the course we have in fact taken; it must have been an object of higher importance to those states, that the recognition by Great Britain should be delayed, in the hope of bringing with it a similar concession from Spain, rather than that the recognition by Great Britain should be so precipitate as to postpone, if not prevent, the recognition by the mother country. Whether all hope is over of any such step, on the part of Spain, is another question. Our obligation, then, as a matter of fact, is at an end —I am enabled to state that positively.—The rest is matter of opinion, and must depend upon a balance of probabilities. But, as my honourable and learned friend has said, this simple sense of the term "recognition" has been very much misunderstood, both here and in other places; because, though there is nothing more plain and easy than the act of acknowledging a fact (if fact it be), that such a government is independent, yet I am quite certain he will agree with me, that it may make a difference, if that acknowledgment be asked, which implies an expectation of conse-

quences which do not necessarily belong to it. I am sure he will feel, that great as the boon of recognition, in its simplest sense, might be to any new government, it would be greater if, though given in one sense, it were accepted in another. It might be given as a mere acknowledgment of a fact, and accepted as a sort of treaty of alliance and co-operation.

I am not ignorant of the many commercial interests that call for this proceeding; but, if what is required were granted, some suppose that it would necessarily have the effect of tranquillizing the state, establishing and confirming its independence. The simple recognition by any neutral power, if it were not misunderstood, could have no such effect. I am, therefore, anxious that exaggerated expectations should not be indulged, as to what might be the immediate consequences of recognition. My honourable and learned friend has put two cases, the possibility of the existence of one of which I certainly do not feel. He says, that South America must either be considered as one great mass, and then the contest in any part bears but a very small proportion to the tranquillity of the whole; or that each separate state must be considered by itself, and then only the state in which the contest exists can fairly be excluded from recognition. I have no sort of difficulty in saying, that to take South America as a mass, presents a physical

impossibility; and my honourable and learned friend does not pretend that there is any government established which had authority over the whole. That position will, therefore, certainly be of no assistance to his argument.

The other point of view he has presented, deserves more consideration; namely, how far we are to consider each separate state entitled to recognition. Into this part of the argument I do not go at present: this is a horn of his dilemma, with which I am not, for various reasons, now prepared to contend. I will state only, that though I agree with him, that we have no pretence to be so difficult and scrupulous, as to insist that a new government shall have all the stability of an old one before we acknowledge its independence, yet we must act with some degree of caution before we can give our fiat, even if it be understood to amount to no more than a declaration of opinion. We are not bound, indeed, to be so sure of our ground, as to be able to answer for it that our opinion shall turn out to be true; but we are bound to take care to have the chances in its favour. The principle to guide us is this:—that as the whole of our conduct should be essentially neutral, we ought not to acknowledge the separate and independent existence of any government, which is so doubtfully established, that the mere effect of that acknowledgment shall be, to mix parties again in internal squab-

bles, if not in open hostilities. My honourable and learned friend is aware that, before we can act, information as to matters of fact is necessary. We have taken the means to obtain that information; but we are not yet in possession of that official intelligence, which will enable us to arrive at a decision. Even with regard to the particular state last alluded to, Columbia, I know what has passed there, only through the same channels of information my honourable and learned friend seems to have consulted—I mean the newspapers. I have seen much that I think must be rather exaggerated, but I have yet no authentic record by which I can correct the public statements.

This is all that I think it consistent with my duty to state to my honourable and learned friend. To every principle laid down in the papers he has read, and on which he has bestowed commendation, the King's Government steadfastly adheres. The progress made since we last had any communication on the subject, is a proof that we have proceeded in the execution of those principles; and as my honourable and learned friend approves of all that is stated in those documents, he must, I apprehend, approve equally of what subsequently occurred.

The House will judge whether it is expedient, in the present state of affairs, necessarily partaking of so much uncertainty, to press the discussion beyond the information I have been able

to give; or whether it would not complicate, and perhaps retard, rather than accelerate, the object in view. I have only to add, that the proposal originally made by Spain to this country, to become a party to a congress on the affairs of South America, had been repeated, and again refused by the Government of Great Britain.

The Petition was then ordered to be printed.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.

FEBRUARY 15th, 1825.

Lord F. Gower moved, and Mr. Alderman Thompson seconded an Address to the Throne. The Address, as is usual on similar occasions, was an echo of the speech of His Majesty.

Mr. Brougham said, there were some parts of the Address to which he gave his most cordial assent, and others from which he was equally anxious to express his dissent, and against which to enter his protest. He was rather withheld, as indeed were many of the friends around him, by a feeling of modesty, from giving their due meed of praise to some of the measures alluded to in the Address, since those measures which were now the theme of so much praise and so many congratulations, were measures which the gentlemen on his side of the House years ago had urged,

but in vain, upon those who at that time were intrusted with the Administration of the country. He was rather restrained by this feeling of modesty from praising the wisdom and vigour of the Legislature in making the great mercantile reforms which had been recently effected. He was afraid, lest in bestowing any commendations of his upon them, he should seem to be bestowing commendations upon himself. He was, however, encouraged to get rid of his modesty; and to bestow upon them the honour that they merited, by the recollection that they were not so much his own propositions as the propositions of those friends with whom he had been in the habit of acting, both in Parliament, and out of Parliament, ever since he had had the honour of being returned to it. The principles, let it be said in Parliament, and be heard with rejoicing and edification throughout the country—the principles were at an end, which had so long hampered the industry and cramped the energies of the people of England. Those doctrines of narrow, shop-keeping, huxtering policy, which wise men had for many years treated with contempt, both at home and abroad, but which for ages had been reverenced by the ignorant as the only base upon which commercial property could be firmly established—those doctrines which, for two generations back, had been the topic of unqualified scorn, and the theme of unmixed reprobation with all writers of enlightened understanding, but which had been regularly defended by each successive Minister, during that period, as the real foundation of national greatness—those doctrines, he was happy to say, were now exploded for ever, and could never more be advanced to obstruct the welfare and prosperity of the country.

As to the mercantile reforms, he (Mr. B.), eight years ago, had himself expounded them. At the same time, he had also proposed the changes with regard to the silk

trade. He approved of the recognition of the great empires of South America. But all men knew and felt how much of that measure belonged to his honourable and learned friend (Sir J. Mackintosh), who had shown himself the uniform, powerful, learned, and consistent advocate of those early and liberal views of enlightened colonial policy, which now met at length the assent of His Majesty's Government.

After having expressed his approbation of the policy pursued towards our West India colonies, he would next ask if this display of liberal policy were to stop here? Was this to be the circumference of their liberal sphere of action? Were they never to do justice nearer home? Were they never to listen to the voice of Ireland? He hoped that, upon the state of Ireland, they were not to be met by any crooked policy of expediency. He hoped the time was now past when they were to be told, "O touch not such a topic, it is too delicate, there are too many, and too irreconcileable, and too various opinions afloat upon it: we must leave that alone—it is too harassing and complicating to be mooted. All other difficulties you will find us ready to meet and overcome; but, by common consent, we have arranged to steer clear of this question. The fact is, what can we do with it?—we have not two members who think alike upon this topic." Was this the way, he would ask, in which the Government of this country ought to be conducted? Could they tolerate this exception from the general policy, in the case of a country so inseparably identified with their internal interests, when they had an absolute right to have upon it the undivided opinion, clearly expressed, of an intelligible and distinct cabinet? It was worse than idle to say that the condition of Ireland was the only question on which a cabinet might be divided. We had proof that there were too many opinions in which

they were far from concurrence. It was no later than the last session, that the House witnessed—the country witnessed—one honourable colleague introducing in that House a change in the silk laws; and witnessing also the same measure thrown out in the Upper House, by another noble colleague; upheld also in that object by other members of the same Administration. We had seen also measures since adopted by all the members of that cabinet which once were designated by some of its members as Jacobinical, when they were suggested by those who surrounded me, carried, I will say, by the wisdom of the right honourable gentleman opposite (Mr. Secretary Canning); because backed as he is by public opinion on this question—backed by the honourable friends who fill the benches around me, and on which he would have triumphed even had he been obliged to have left office on such grounds. Is Ireland, I again ask—bound as we are to that near, that intimate connection, on whose peace and security such momentous interests hang, on which so much danger glares us in the front; danger, I would say, growing out of our own neglect, and on which we are probably on the verge—never to be approached?

"To return, however, to the state of Ireland. Wearied by the disappointment of the expectations which they have, year after year, indulged—the country experiencing one crisis of distress after another—it is not surprising that the Catholics of Ireland have at length become impatient; and that out of that impatience has arisen that association which we are called upon, in His Majesty's speech, to put down by strong legislative measures. The speech talks of 'associations,' in the plural. That is not without an object. I warn the House, however, not to be taken in by the contrivance; that little letter *s* is one of the slyest introductions

that Belial ever resorted to, in any of those speeches which are calculated to

> 'Make the worse appear
> The better reason, to perplex and dash
> Maturest counsels: for his thoughts are low.'

"I am perfectly aware, Sir, by whom that *s* was added. I know the hand-writing.* I know the reflection which passed through the mind of the writer. 'I must put the word in the plural. It will then be considered as applicable to Orange as to Catholic Associations, and the adversaries of both will be conciliated.' Let not that little letter *s*, however, deceive a single person. However it may be pretended to hold the balance even between the Catholic and the Orange Associations, depend upon it, it will be only a nominal equity. It will be like one of those 'subtile equities,' so well known in the court over which the noble and learned lord to whom I have been alluding, presides. Let the proposed measures be carried, and the Catholic Association will be strongly put down with one hand, while the Orange Associations will receive only a gentle tap with the other. That will be the result, if we allow ourselves to be deceived by this apparent equity. I will, therefore, not assent to the proposition, come in what shape it may. Unquestionably, it is to be regretted, that the proceedings of any association in Ireland should be irreconcilable with the Constitution, or calculated to create alarm by exciting animosities. For my own part, I do not entirely approve the measures of any of the associations. I never, that I remember, approved of all the measures of any public body, especially where religious were mixed up with civil considerations. When the feelings of men are roused, it is not surprising that they should go a step

* This allusion was understood to refer to the Lord Chancellor (Eldon).

beyond strict propriety. But, making the allowance which it is but just to make under the peculiar circumstances of the case, I take upon myself conscientiously to say, after the most attentive observation, and vigilant inspection of all which the Catholic Association have done and said, that I cannot discover a single word or act which justifies the charge conveyed in His Majesty's speech. To attack, by Act of Parliament, an association thus representing the sentiments, wishes, and feelings of the people of Ireland, would be to attack the people of Ireland themselves.

"And how are you to draw the line? how can you put down that body, and not put down, at the same time, hundreds of bodies of similar constructions? Subscriptions are raised by other bodies; they are raised by other than Catholics, and for other purposes than to prevent the circulation of the Bible. What is to become of the Bible Societies, the annual contribution of which is, I understand, ninety or a hundred thousand pounds; and which spread their branches all over the realm? These societies have enlisted under their banners many of the leaders of the great sects. They include many dignitaries of the church. At their head is a peer of the realm. One of the most active members of the Auxiliary Bible Societies is a noble lord, with whom, in his commercial policy, I have now so often the honour to act—I mean the Earl of Liverpool; not to mention another noble lord (Lord Bexley), who, however we formerly differed on questions of trade, would now, I suppose, be ready to meet me at least half way upon such questions. There are other associations, which ought to be put down on the principle on which it is sought to put down the Catholic Association."

Mr. Secretary Canning then rose, and addressed the House to the following effect:—Sir,

the speech of the honourable and learned gentleman opposite, not being of a nature to require that I should engross much of your time, I shall not trespass at great length on the attention of the House, with respect to either of the topics to which he has particularly adverted. The honourable and learned gentleman has thought fit to pass over a considerable portion of the speech, and has confined himself chiefly to the parts relating to the recognition of the new States of America, and the Catholic Association. The approbation he has bestowed on the former, is no very gracious approbation, while, on the latter, the condemnation he has pronounced, is no very sparing condemnation. With respect, however, to the Catholic Association, I will say, that retaining the opinions I have always held on the subject of the Catholic claims, which I shall be prepared at all times to support, reserving to myself only the right of bringing the question forward when I think proper, judging for myself, and not allowing the honourable and learned gentleman to judge for me, I do not hesitate to express my agreement with my honourable friend (Mr. W. Lamb), that so far from considering the proceedings of the Catholic Association to be identified with the cause of the Catholics of Ireland—if ever there was a scheme, a device, an invention, for throwing back that question in the mind of the people of this country—if the

bitterest enemy of the Catholics had set down to devise the means to raise a spirit of hostility to their claims, and exasperate the opposition against them, he could not have hit upon any mode of accomplishing his purpose more certain than the establishment and conduct of the Catholic Association.

There was one argument mentioned by the honourable and learned gentleman, which I thought he would have pursued to greater length, and to which I have myself given the most serious consideration. It is this: whether, if no steps were taken with respect to the Catholic Association, the mischief might not die away of itself? To prove the sincerity of this declaration, I can appeal to our conduct last session. The honourable and learned gentleman knows that we were goaded to bring forward some measures to stifle the association in its infancy, nor can he have forgotten that I then pronounced my opinion against any legislative interference with it, being rather of opinion that if let alone it would die away, and that at all events we could not call for any measure of interference till that experiment had been fairly tried. If the honourable and learned gentleman wished us to resume that mode of considering the subject, he has handled his arguments singularly. It was in that case his business to have diminished the authority and importance of the assembly, and to

have shown that it was but a harmless meeting of simple individuals, not representing, or pretending to represent, the kingdom of Ireland; but, on the contrary, to induce the House to take no notice of the evil, he has exaggerated it even beyond the exaggerations of its own self-importance. He says that it is, in fact, the Government of the country. He says, that to the Catholic Association alone, we should attribute the peace and tranquillity that country has for the first time enjoyed. In the profuseness of his panegyric on the Association, he forgets the existence of Lord Wellesley's Administration. He forgets the virtues and talents ascribed, and justly ascribed, to that eminent man; but it is not to his impartial Administration; it is not to his efforts to compel respect to the laws; it is not to the even hand with which he has distributed between Catholic and Protestant, the favour of the Government, and the sunshine of the favour of the Crown, that these happy results are to be attributed. No, it is not to Lord Wellesley, but to the Catholic Association that all honour is now to be rendered, and all benefit derived. I own this comes upon me with some kind of surprise. I wish the wise and benevolent Administration of the noble lord had been allowed to proceed untainted by the waters of bitterness mingled with it by the Catholic Association—

"Doris amara suam non intermisceat undam."

If it had gone on alone, I believe it would have ended in conferring on Ireland inestimable blessings, even though it had fallen short of obtaining the grant of that question, which must ultimately crown and cement the whole; and which, some time or other, will be carried with the general concurrence of this country, though now, perhaps, it would be opposed by the whole people as one mass.

I am firmly persuaded that the administration of Lord Wellesley would, if suffered to proceed without the mischievous interference of faction, have produced a state of things which, compared with any thing in our memory, would have been peace, happiness, and concord. But the honourable and learned gentleman says, whatever advances may have been made towards this state, the Catholic Association is the parent of peace, and the author of the general tranquillity. What is the potent charm with which it has wrought this change? Its place is from the pit of Acheron —its conciliation is cemented by this abjuration —"Be peaceful by the hate you bear to the Orangemen." This is the foundation of the peace of the Catholic Association. This is the charm by which they produce friendship out of hatred. It was enough to stamp the character of the Association, that its members should deliberately have written such a passage, and when called on to reconsider it, should deliberately have con-

firmed it. What was the injunction? Be peaceful by the hatred you bear to a great part of your countrymen. Is this the spirit of catholicism? I hope not. I am sure it is not that of christianity. I trust that it forms no part of the peculiar creed of that peculiar class of the christian world. If it does, I know that I have been in a fatal error when I advocated the cause of the Catholics. In the name of the Catholic population, I protest against identifying them with the Association. In answer to the protest of the honourable and learned gentleman, I protest against confounding them together; and should any measure be deemed necessary to restrain the Association within the limits of the law and constitution, I protest against its being considered as directed against the Catholic population, or as intended to throw impediments in the way of the discussion of the Catholic Question. Does the Catholic Association know so little of the people of England as to suppose that menace and intimidation are measures calculated to lead to success? Do not its members feel that every sentence they have uttered, and every threat they have ventured to send forth, have tended directly to injure the cause they profess to advocate? Are they not aware that if they would promote it, they should hold their peace till all they have said is forgotten, and, if possible, effaced from the mind of the English public? So far from doing mischief

to the Catholic cause by suppressing the Association, we should do it good by ridding it of an incumbrance which renders it unsightly to every impartial man, and obnoxious to every man who hates to be bullied. The Catholic Association sets in array against the Catholic cause the feelings of all mankind. The honourable and learned gentleman has used harsher words than I think he would have applied to the measures in contemplation, if he had known how it is intended to frame them. The disease of Ireland is faction, and under whatever banners it may display itself, it should be crushed. The letter *s* was not added to deceive. No; the measures intended to be introduced will be impartial, and, I trust, complete in their operation against all parties. I revert again to the separation I wish to establish, but which the honourable and learned gentleman wishes to confound, between the Catholic Association and the Catholic Question. The honourable and learned gentleman took occasion to address me personally, in a way not to be misunderstood, a great part of his speech; and lest it should appear that I wish to pass it by without notice, I am compelled to resort to that ungracious and disagreeable task of occupying the House with matters of a personal nature. He asks me, then, in so many words, with respect to the Catholic Question, why, being able to carry certain measures in the Cabinet, I have not recourse

to the same influence—the proffered resignation of office, to carry this also? In re-stating his proposition, I do not admit his premises to be true; but I cannot get at his argument without re-stating his premises. Does he then, I will ask him again, see no difference between the question of the recognition of South America and the question respecting the Catholics? He asks, what has a Minister to fear, with those benches and England at his back? I answer, by asking, what could a Minister do with only those benches, and *not* England at his back?

Then, Sir, supposing his data all true, I claim to reserve to myself the determination as to how and when; at what period, and by what means, I should endeavour to carry those measures, on which, if necessary, I would put my office and life at stake. I claim not to have the opportunity selected for me; and by those especially who may, perhaps, have some collateral interest in the result. I have not thought it necessary to dispute the assumptions of the honourable and learned gentleman with respect to the state of the Cabinet; but one of his assertions I must deny. He has taken it for granted, that because, on one interest the Cabinet, like the nation, is divided into two parts, whoever is against me as to the Catholic Question, was equally against me as to the recognition of South America. He is completely mistaken. I beg to assure him, that the

line that is fancifully drawn between the liberals and illiberals in the Cabinet, is not straight but serpentine; and that however easily that division as to the Catholic Question may be traced, on others, to which the members are not pledged by habit, connection, or personal honour, I hope they bring minds fairly open to the arguments of their colleagues.

But by no fault of ours, nor indeed of the present parliamentary generation, the Ministry is necessarily exposed to a difficulty from which it can only be rescued by a remedy not very likely to be adopted—I mean the total breaking up of party, and the formation of an Administration out of the scattered elements. It is my opinion, that in that case an Administration could not be formed on the side which the honourable and learned gentleman wishes to prevail. On the other it might. If, therefore, I was to follow his advice, and retire from office, he might have the satisfaction of ousting me, but he certainly would not of succeeding me.

All I desire of the House is, to consider to what extent the sentence of the Address pledges them. The King states that the associations in Ireland have "adopted proceedings irreconcileable with the spirit of the Constitution, and calculated, by exciting alarm, and by exasperating animosities, to endanger the peace of society, and retard the course of national improvement." These are

matters of fact. His Majesty then recommends Parliament "to consider without delay the means of applying a remedy to this evil." The House of Commons, by this Address, answers, we will; and unless the House were prepared to say that the Catholic Association, according to the character given of it by the honourable and learned gentleman, possessing all authority, superseding all government, engrossing all allegiance, exercising all power, levying revenue, and having the population at its back—unless, I say, the House of Commons will declare that this is a power which ought to exist, sitting beside the Government, or towering above it, they cannot refuse to say, but that they will adopt whatever means may be suggested to them by Government, but that they will themselves consider how to put an end to so enormous an evil. That is the extent of the Address, and less than that, would be to affirm that it was proper the Catholic Association should exist in its unrestrained authority, and the plenitude of its power.

I now turn to that other part of the honourable and learned gentleman's speech, in which he acknowledges his acquiescence in the passages of the Address echoing the satisfaction felt at the success of the liberal commercial principles adopted by this country, and at the steps taken for recognising the new states of America. It does happen, however, that the honourable and

learned gentleman being not unfrequently a speaker in this House, nor very concise in his speeches, and touching occasionally, as he proceeds, on almost every subject within the range of his imagination, as well as making some observations on the matter in hand—and having, at different periods, proposed and supported every innovation of which the law or constitution of the country is susceptible—it is impossible to innovate, without appearing to borrow from him. Either, therefore, we must remain for ever absolutely locked up as in a northern winter, or we must break our way out by some mode already suggested by the honourable and learned gentleman, and then he cries out, "Ah, I was there before you! That is what I told you to do; but, as you would not do it then, you have no right to do it now." In Queen Anne's reign there lived a very sage and able critic, named Dennis, who, in his old age, was the prey of a strange fancy, that he had himself written all the good things in all the good plays that were acted. Every good passage he met with in any author, he insisted was his own. "It's none of his," Dennis would always say; "no, it's mine!" He went one day to see a new tragedy. Nothing particularly good to his taste occurred, till a scene in which a great storm was represented. As soon as he heard the thunder rolling over head, he exclaimed, "That's my thunder!" So it is with the honourable and

learned gentleman; it's all his thunder. It will henceforth be impossible to confer any boon, or make any innovation, but he will claim it as his thunder. But it is due to him to acknowledge, that he does not claim every thing; he will be content with the exclusive merit of the liberal measures relating to trade and commerce. Not desirous of violating his own principles, by claiming a monopoly of foresight and wisdom, he kindly throws overboard to my honourable and learned friend (Sir J. Mackintosh) near him, the praise of South America. I should like to know whether, in some degree, this also is not his thunder. He thinks it right itself; but lest we should be too proud, if he approved our conduct *in toto,* he thinks it wrong in point of time. I differ from him essentially; for if I pique myself on any thing in this affair, it is the time. That, at some time or other, states which had separated themselves from the mother country, should or should not be admitted to the rank of independent nations, is a proposition to which no possible dissent could be given. The whole question was one of time and mode. There were two modes: one a reckless and headlong course, by which we might have reached our object at once, but at the expense of drawing upon us consequences not highly to be estimated; the other was more strictly guarded in point of principle: so that, while we pursued our own interests, we took care

to give no just cause of offence to other powers. Three states have been alluded to, Buenos Ayres, Colombia, and Mexico; and I flatter myself to satisfy the House, that at no earlier period could the measures now in progress, with respect to them, have taken place. Any other period or mode than that chosen would have been liable to some objection. In the first place, as to time, referring to the internal condition of the states themselves, it is true, that for many years there has been no Spanish soldier in the territory of Buenos Ayres. That first necessary condition of recognition by a foreign power had long existed in that state. Its soil was free: but my honourable and learned friend (Sir James Mackintosh) knows, that up to a late period, the vast extent of territory, generally and in common parlance called Buenos Ayres, consisted of thirteen or fourteen states, not yet connected by any federal tie. What an absurdity would it have been for England to have entered into a treaty with a government which could not say what were its constituent parts! Before any treaty can be concluded, we must of necessity know that this consolidation has taken place. I have no doubt that it will be found to exist; and if it does, the treaty will be signed.

As to Colombia, it was only in 1822 that she sent the last Spanish force out of her territory; the garrison of Puerto Cabello, a place of the

greatest strength and importance, which was held for the King of Spain till within the last two years. But after the expulsion of the Spaniards, Colombia chose to risk her existence, by sending her whole armed force and chief magistrate to carry on a distant war for the conquest of Peru. While a reasonable chance existed, that events might have brought back the war and the Spaniards into the heart of Colombia, if we had acknowledged her complete independence, we should have acknowledged what was not the fact. But when it appeared that that danger was sufficiently removed, Colombia was ripe for recognition, and Government have acted on that opinion.

As to Mexico, not nine months since, an adventurer, who had actually wielded the sceptre of that country, went from Europe to repossess himself of his abdicated throne. Was that a moment for this country to have decided by its interference, what should be the future government of Mexico? The failure of that expedition gave the state an opportunity of organizing a government on a solid basis; and then the decision was made by this country as to recognizing its independence. So far from the time being injurious and the measure tardy, however ripe in itself, I will undertake to declare, that it was not possible to have anticipated the act of recognition before it was resolved upon. But the honourable and learned gentleman objects not only to the

time, but the mode. My noble friend (Lord L. Gower), who manifested how able he was to do justice to any cause entrusted to him, and vindicate himself and his opinions from misrepresentation, explained shortly, but clearly, the course taken by this country.

To those who say there is something mean and paltry in negociating a treaty as the mode of recognition, and who would, if they were Ministers, rather resign than so disgrace themselves, I will only observe, that this has been always the mode. The Minister of the United States was not admitted to the court of France, till after the signature of a treaty. That was the mode of recognition in that case, but there were other circumstances attending the act, widely different from our recognition of the late Spanish colonies. France not only recognised the United States before her territory was free, and without giving the mother country any offer of precedency, but, though in amity with us at the moment, mixed up with the act of recognition, a treaty of alliance with the United States to enable them to achieve their independence. France, for that purpose, made herself the enemy of England. But it really seems as if it were conceived that this act on our part is imperfect, because it is not accompanied by war. Now the task I thought set to me was, to arrive at my object not only without war, but without giving just cause of war to Spain, or any

other power. The honourable and learned gentleman professes to consider my policy as huckstering; but if he thinks that war might not have been had by a little dexterity, he is much mistaken. It lay on each side, but I have arrived at my object, without stirring the dangers that encompassed me. Is the result then unsatisfactory, because, from beginning to end, we have taken no step that we have not previously announced to every party interested by immediate relations, by sympathy, or by honour? There is not in the archives of my office, a document connected with this negociation, which Spain has not seen, or the allies had cognizance of. Spain was told for years, that if she would take the precedence, we would fall behind, and follow at a humble distance. We offered to give her a superiority in the markets of her late colonies, but at last, because we were forced to go alone, did we avail ourselves of our priority to secure peculiar advantages? So far from selling our recognition, we demand only to be placed where any who choose to follow us may be placed on the same footing. The honourable and learned gentleman approves the measure, but he disapproves the mode and time. The measure, for aught I care, may be his or her friend's, or the country's. What I claim to myself of merit, if any merit there be, is precisely what he fixes upon to blame.

I trust that by this temperate, and, if he will,

tardy policy, I have avoided all the dangers that surrounded me. I will not pretend to conceal that I have hurt many feelings, ran against many interests, shocked many prejudices, and caused many regrets; but it is my sanguine hope, that all will exhale in words, and that we shall remain with our object gained, and the peace of the world undisturbed. If that result should be gained, I lay claim to that part of the merit; and notwithstanding the unsparing blame lavished by the honourable and learned gentleman on the workmanship, though he has, I admit, done justice to the performance, I am ready to abide the judgment of the country. I do not recollect any other topic that calls for further observation from me. Whenever the honourable and learned gentleman may think fit to bring forward any of the subjects to which he alluded in his speech, I shall be prepared to meet him upon them.

I am desirous of offering some explanation with regard to the treaty with the United States for the more effectual suppression of the Slave Trade. The House will recollect, that in the beginning of last session, a proposal was received from the United States, to carry into effect certain measures, to put an end to the illicit traffic in slaves, by conceding a mutual and limited right of search. The treaty was drawn up by the Ministers of the United States. It received some alterations here, but none very material. By the constitution of

the United States, the confirmation of treaties is vested, not in the Executive only, but in the Senate and Executive jointly. This was an inconvenience of which we were certainly aware, and therefore we have no right to complain, when we found that the treaty, regularly negociated and ratified by His Majesty, was refused to be ratified by the American Senate, unless on conditions to which we could not accede. But what was peculiarly singular was, that the most material alteration made by the Senate, was an alteration of the original draft of the treaty made by the American Government, and an alteration which withdrew all the reciprocity on which the treaty was founded. The right of search was, by the original treaty, conceded by us in the West Indies to the Americans, and by them on their own coast to us: but the Senate struck out the part relating to their own coast. They wished us to concede the right to them in our West Indies, but they refused it to us on their own coast. It was impossible, as a matter of justice to the West Indian, to consent to this alteration. It would have been a tacit admission that our slave laws were evaded by our colonists. I will not affirm that the Americans evade their slave laws, but I deny, positively, that ours are evaded by our colonists. We cannot agree to a treaty which seems to sanction the imputation, that we admit on our part what they deny on their's. It has been proposed to

cancel the whole negociation, and begin anew; and we have offered to agree to a treaty, as amended by their Senate, with the single exception of the omission of the word "America." I cannot suppose that their objections will stand the test of further discussion. At all events, our feelings have been made manifest. We raised the penalty of the trade to that of piracy, and we are willing by treaty to concede equal powers. It gives me great pleasure to add, that the whole course of the discussion was carried on in perfect friendship, and that I have no doubt the personal feeling of the Executive Government was entirely with us.

As to any other topics, I prefer at this moment to defer the consideration of them to the more detailed discussions that will be hereafter necessary. [The right honourable gentleman sat down amidst the general cheering of the House.]

When Mr. Canning had concluded, Mr. HUME rose, but the noise and confusion created by the departure of the members, prevented us from distinctly hearing what fell from the honourable gentleman. We understood him to remark, that Mr. Canning had omitted to notice what fell from Mr. Brougham, with respect to the reduction and equalization of the duties on wines, which Mr. Hume considered a matter by no means uninteresting to the public.

MR. CANNING explained.

After which the motion on the Address was put from the Chair, and carried *nem. con.*

UNLAWFUL SOCIETIES IN IRELAND.—CATHOLIC ASSOCIATION.

FEBRUARY 15th, 1825.

In the course of the adjourned debate that arose on the motion made by Mr. Goulbourn, "That leave be given to bring in a Bill to amend certain acts relating to Unlawful Societies in Ireland,"

Mr. Canning:—Sir—It is not unnatural that in a debate protracted to so unusual a length, some confusion should have been created by the variety of topics introduced into it. Such a confusion would not have been unnatural, even if it had not been in any degree designed. But it is still less to be wondered at when, in addition to the length of the debate, and to the multitude of speakers, we take into account the pertinacious determination which has been manifested, to mix with the question before the House, other questions of a totally different nature. That confusion it shall be my first endeavour to disentangle.

Sir, the immediate question before the House is as to the mode in which we shall deal with certain associations in Ireland, the existence and

character of which are described to us in the King's speech; and with respect to which, we have pledged ourselves in our Address, in answer to that speech—not indeed to adopt any particular measure of remedy, but to consider what remedy may be most effectually applied to the evil.

With this practical question has been mixed, I will not say wantonly and absurdly, but I do say illogically, and as no necessary part of the discussion, the whole of what is commonly called the Catholic Question. And to these two questions have been added, as well on former evenings as on the present, disquisitions upon the general conduct of the present Administration in relation to the Catholic Question, and appeals personal to myself.

On this last point I feel a great unwillingness to obtrude any observations upon the House;—but situated as I am, Sir, the course which the discussion has taken leaves me no alternative. I must, before I sit down, request some few moments of your indulgence upon this point: promising that I shall as gladly shorten what I have to say upon it, as I reluctantly enter upon the discussion of it. This point, however, as the least important, I shall put off, till I have disposed of those which are of more legitimate interest.

Sir, I shall divide the observations which it is my duty to submit to the House, into four parts:

—the first, the immediate subject of debate, the unconstitutional associations in Ireland;—the second, the Catholic Question;—the third, the conduct of the Government;—and the fourth, my own personal conduct, in relation to that much agitated question.

The King's speech asserts the existence in Ireland, of associations whose proceedings are inconsistent with the spirit of the Constitution; and are calculated to propagate alarm, and to exasperate animosities throughout that part of the United Kingdom; and to retard thereby the progress of national improvement.

The fact of the existence of such associations I do not recollect that any man in the course of this debate has ventured to gainsay. The question, therefore, which the House has to decide, is properly this: whether having received from the throne a description of the evil attending the existence of such associations, and having, in reply to that communication, pledged ourselves to consider of the means of remedying it, we shall now proceed—I will not say to adopt (for that would be matter of subsequent deliberation), but—to take into consideration the means which the responsible advisers of the Crown have proposed to the House for that purpose; or whether we shall turn round to the throne and say, "We have, on deliberation, completely satisfied ourselves that His Majesty has been deceived by false in-

formation; that the description applied in His Majesty's speech to the associations in Ireland is altogether incorrect; that true it is that such associations do exist, but untrue that their proceedings are inconsistent with the spirit of the Constitution; that true it is that alarms have been excited, and animosities exasperated in Ireland, but untrue that the acts of these associations have tended to that excitement and exasperation; that true it is that the flow of British capital into Ireland must be checked by any thing which gives room to apprehend danger to the peace of that country; but that the conduct of one at least, of the associations in question, so far from having contributed to that check, has had a manifest tendency to create general confidence, and thereby to promote the growth of national prosperity:—that it is our duty, therefore, not only to leave the alleged evil without remedy, but to confirm and strengthen that particular association in the exercise of all the functions and prerogatives which it has assumed." This is the plain question which the House has to decide.

And is it possible, Sir, that any man, looking at the Catholic Association (which I at present refer to by that name only, to discriminate it from others, and not as intending in this part of my argument, to imply that its Catholic character in any way enhances its evil or its danger)—is it possible that any man, looking at an association

of this nature, at the means, the power, the preponderance of which that association is acknowledged—nay, is vaunted—to be in possession; at the authority which it has arrogated, and at the acts which it has done, can seriously think of giving stability and permanence to its existence? Self-elected, self-constructed, self-assembled, self-adjourned, acknowledging no superior, tolerating no equal, interfering in all stages with the administration of justice, denouncing publicly before trial individuals against whom it institutes prosecutions, and rejudging and condemning those whom the law has acquitted, menacing the free press with punishment, and openly declaring its intention to corrupt that part of it which it cannot intimidate; and lastly, for these and other purposes, levying contributions on the people of Ireland. Is this, Sir, an association which, from its mere form and attributes (without any reference whatever to religious persuasion), the House of Commons can be prepared to establish by a vote, declaring it to be not inconsistent with the spirit of the Constitution?

In the next place, are we prepared to say that these and other acts of the Catholic Association have no tendency to excite and inflame animosities? I affirm, without hesitation, that they have directly that tendency: and in support of this affirmation I must beg leave to recur, however solemnly warned against the recurrence, to

an expression which I was the first to bring to the notice of the House, but which has been since the subject of repeated animadversion; I mean the adjuration "by the hate you bear to Orangemen," which was used by the association in their Address to the Catholics of Ireland.

Various and not unamusing have been the attempts of gentlemen who take the part of the association, to get rid of this most unlucky phrase, or at least to dilute and attenuate its obvious and undeniable meaning. It is said to be unfair to select one insulated expression as indicating the general spirit of the proceedings of any public body. Granted;—if the expression had escaped in the heat of debate, if it had been struck out by the collision of argument, if it had been thrown forth in haste, and had been upon reflection recalled: but if the words are found in a document which was prepared with care and considered with deliberation—if it is notorious that they were pointed out as objectionable when they were first proposed by the framers of the Address, but were nevertheless upon argument retained—surely we are not only justified in receiving them as an indication at least of the *animus* of those who used them; but we should be rejecting the best evidence of that *animus*, if we passed over so well weighed a manifestation of it.

Were not this felt by honourable gentlemen on

the other side to be true, we should not have seen them so anxious to put forced and fanciful constructions on a phrase which is as plain in its meaning as any which the hand of man ever wrote or the eye of man ever saw.—The first defence of this phrase was by an honourable member from Ireland, who told us that the words do not convey the same meaning in the Irish language, which we in England naturally attach to them. I do not pretend to be conversant with the Irish language; and must therefore leave that apology to stand, for what it may be worth, on the honourable gentleman's erudition and authority. I will not follow every other gentleman who has strained his faculties to explain away this unfortunate expression; but will come at once to my honourable and learned friend Sir James Mackintosh, the member for Knaresborough, to whom the palm in this contest of ingenuity must be conceded by all his competitors. My honourable friend has expended abundant research and subtilty upon this inquiry, and having resolved the phrase into its elements in the crucible of his philosophical mind, has produced it to us purified and refined to a degree that must command the admiration of all who take delight in metaphysical alchemy. My honourable and learned friend began by telling us, that, after all, *hatred* is no bad thing in itself. "I hate a Tory," says my honourable friend—"and another man hates a

cat; but it does not follow that he would hunt down the cat, or I the Tory." Nay, so far from it—hatred, if it be properly managed, is, according to my honourable friend's theory, no bad preface to a rational esteem and affection. It prepares its votaries for a reconciliation of differences—for lying down with their most inveterate enemies, like the leopard and the kid, in the vision of the prophet.

This dogma is a little startling, but it is not altogether without precedent. It is borrowed from a character in a play which is, I dare say, as great a favourite with my learned friend as it is with me—I mean the comedy of *The Rivals;*—in which *Mrs. Malaprop*, giving a lecture on the subject of marriage to her niece (who is unreasonable enough to talk of liking as a necessary preliminary to such a union), says, "What have you to do with your likings and your preferences, child? depend upon it, it is safest to begin with a little aversion. I am sure I hated your poor dear uncle like a blackamoor, before we were married; and yet you know, my dear, what a good wife I made him." Such is my learned friend's argument to a hair.

But finding that this doctrine did not appear to go down with the House so glibly as he had expected, my honourable and learned friend presently changed his tack; and put forward a theory, which, whether for novelty or for beauty,

I pronounce to be incomparable; and, in short, as wanting nothing to recommend it but a slight foundation in truth. "True philosophy," says my honourable friend, "will always contrive to lead men to virtue by the instrumentality of their conflicting vices. The virtues, where more than one exist, may live harmoniously together: but the vices bear mortal antipathy to one another, and therefore furnish to the moral engineer the power by which he can make each keep the other under controul." Admirable!—but, upon this doctrine, the poor man who has but one single vice must be in a very bad way. No *fulcrum*, no moral power for effecting *his* cure. Whereas his more fortunate neighbour, who has two or more vices in his composition, is in a fair way of becoming a very virtuous member of society. I wonder how my learned friend would like to have this doctrine introduced into his domestic establishment. For instance, suppose that I discharge a servant because he is addicted to liquor, I could not venture to recommend him to my honourable and learned friend; it might be the poor man's *only* fault, and therefore clearly incorrigible: but if I had the good fortune to find out that he was also addicted to stealing, might I not, with a safe conscience, send him to my learned friend with a very strong recommendation, saying—I send you a man whom I know to be a drunkard: but, I am happy to assure you he is also a thief: you cannot do better

than employ him: you will make his drunkenness counteract his thievery, and no doubt you will bring him out of the conflict a very moral personage. My honourable and learned friend, however, not content with laying down these new rules for reformation, thought it right to exemplify them in his own person, and, like Pope's *Longinus*, to be "himself the great sublime he drew." My learned friend tells us that Dr. Johnson was what he (Dr. Johnson himself) called *a good hater;* and that among the qualities which he hated most, were two which my honourable friend unites in his own person—that of Whig and that of Scotchman. "So that," says my honourable friend, "if Dr. Johnson were alive, and were to meet me at the club, of which he was a founder, and of which I am now an unworthy member, he would probably break up the meeting rather than sit it out in such society."—No, Sir, not so. My honourable and learned friend forgets his own theory. If he had been only a Whig, or only a Scotchman, Dr. Johnson might have treated him as he apprehends: but being both, the great moralist would have said to my honourable friend, "Sir, you are too much of a Whig to be a good Scotchman; and, Sir, you are too much of a Scotchman to be a good Whig." It is no doubt from the collision of these two vices in my learned friend's person, that he has become what I, and all who have the happiness of meeting him at the club, find him—an entirely faultless character.

For my own part, however, I must say, that I cannot see any hope of obtaining the great moral victory which my learned friend has anticipated; of winning men to the practice of virtue by adjurations addressed to their peculiar vices. I believe, after all these ratiocinations and refinements, we must come back to the plain truth, which is felt even while it is denied—that the phrase, "by the hate you bear to Orangemen," is an indefensible phrase;—that it is at least—what alone I am contending that it is—incontestible evidence of the allegation that the Catholic Association does excite animosities in Ireland. It is an expression calculated to offend, provoke, and exasperate the Orangemen; however palatable to those whose hatred of Orangemen it predicates, and, to say the least, does not disapprove.

The next allegation which the House has to consider, is, whether an association, such as has been described, is conducive to the prosperity of Ireland, or whether it must not, in fact, tend to impede, in that country, the progress of national improvement. Is it possible to entertain two opinions on this subject?—The honourable baronet, Sir F. Burdett, indeed, who last addressed the House, says, that there is an inconsistency between that part of the King's speech which represents Ireland as unusually prosperous and flourishing, and this call on Parliament for a law to put down dangerous and unconstitutional associations. Sir, I see no inconsistency whatever between

these two passages. Ireland *is* sharing in the general prosperity. The indications of that prosperity, and the extension of it to Ireland, are known to every person throughout the country: but does that circumstance disprove the malignity of an evil which retards the increase of that prosperity, by rendering its continuance doubtful?—which puts to hazard present tranquillity, and disheartens confidence for the future?—which, by setting neighbour against neighbour, and arousing the prejudices of one class of inhabitants against those of the other, diverts the minds of both from profitable occupations, and discourages advancement in all the arts of peace—in agriculture, in manufactures, in commerce—in every thing which civilizes and dignifies social life?—The tide of English wealth has been lately setting in strongly towards Ireland. The alarm occasioned by this association acts at present as an obstacle to turn that tide, and to frighten from the Irish shores the industry, enterprize, and capital of England. Is it not, then, Sir, I ask, the duty of Parliament to endeavour to remove this obstacle—to restore things to the course which nature and opportunity were opening; and to encourage and improve in Ireland the capacity to receive that full measure of prosperity, which will raise her, by no slow degrees, to her proper rank in the scale of nations?

With respect, then, to the first question which

I proposed for the consideration of the House, namely, whether Parliament ought to put down an association, arrogating to itself unconstitutional powers, tending to excite animosity, and to check the progress of national improvement. I think, Sir, the answer is easy and obvious, without saying one word of the Catholic religion, or of the religious composition of the association, whose other characteristics I have endeavoured to describe. It is not on account of its religious, but on account of its political character, that I view with dread and distrust the proceedings of this association, and that I call upon the House to entertain the present measure for the purpose of putting it down.

In avoiding to speak, as yet, of the religious character of the association, I have avoided also to advert to its character, whether imputed or assumed, of a representative of the Irish people. I am clearly and decidedly of opinion, that without taking either of those qualities into account, there is ground enough to apprehend so much mischief from the mere existence of this association, as will justify the House in saying, that it shall exist no longer.

When I speak of the representative character of the Catholic Association, I do not mean to assert that it has ever affirmed itself to be the representative of the people of Ireland. No such thing—it is too wise in its generation to hazard so impo-

litic a declaration. If it had done so, it would have been unnecessary to argue the present question; for no new act of Parliament would, in that case, have been necessary to enable the law to deal with it. But, Sir, although the Catholic Association has not openly assumed this representative character, I cannot shut my eyes to the fact, that such a character has been attributed to it by others; and if notoriety be, as undoubtedly it is, a ground upon which legislation may be founded, the repeated statements which have been made in this House during the present debate, that this association is, and is held to be, the virtual representative of the people of Ireland, call upon the House to consider whether such an association can co-exist with the House of Commons. Can there, I ask, co-exist in this kingdom, without imminent hazard to its peace, an assembly constituted as the House of Commons is, and another assembly invested with a representative character, as complete as that of the House of Commons itself, though not conferred by the same process? Does not the very proposition that such is the character, and such the attributes of the Catholic Association, even if not actually true at the present time, warn us at least what the association, if unchecked, may become? And if the Catholic Association, with the full strength and maturity of the representative character, could not (as assuredly it could not) co-

exist with the House of Commons, shall we not check the association in time, before it has acquired that strength and maturity?

In debating this question, it has been my intention to abstain, and I trust that I have abstained, from uttering any harsh language against the Catholic Association. I entertain no disposition to impute to it motives that are intentionally mischievous. And, Sir, if I had entertained any such disposition, the information which the honourable baronet has this evening given to the House—that the association have resolved to submit implicitly to the law, if law this bill should become—would have disinclined me from indulging that disposition. The honourable baronet's information, however, makes no difference in my judgment, as to the necessity of passing this bill. On the contrary, we ought to be the rather induced to pass it, since the passing of it will be a relief to the minds of the Catholics, as well as of the Protestants, by enabling the members of the association to take, under the authority of Parliament, that step which they might find it both difficult and distressing to take by any original resolution of their own.

Sir, for my own part, I should have been contented here to conclude my address to the House, having stated to the House the objections which I feel to the continued existence of the Catholic Association, (objections wholly independent of

its religious character), and having cast aside, as unnecessary to my argument, all the topics of inflammation and exaggeration with which the debate has hitherto been overloaded. I should have been willing to go to the vote now, relying confidently on the conviction which the House must feel, that it has no choice but to pass the present measure, if it would maintain the authority of Parliament unrivalled, and the peace of the kingdom undisturbed.

But, Sir, though I contend that the Catholic Association is quite distinct from the Catholic Question, and though the Catholic Question is not properly the subject of this debate; yet, as there is hardly a member who has not introduced some discussion of that question into his speech, I feel it incumbent upon me not to decline the opportunity of stating my sentiments upon it. I shall do so with the same openness and unreserve with which I have often, already, submitted them to this House and to the country.

It was attempted, Sir, in an earlier stage of this debate, to represent the Catholic Association as the organ of the Catholic body, for bringing their claims, by petition, under the notice of Parliament; and it was asked, whether we could put that association down, without extinguishing all communication between the Catholics and the House of Commons. Sir, I should have been prepared to combat this representation, if it had

been persisted in; but after the information received from the honourable baronet, it is unnecessary, and would be ungenerous, to press that discussion.

Sir F. Burdett here rose to explain. He begged to state, that he had never said that his information came from the Catholic body. It came from a source which was also open to the right honourable gentleman—the newspapers, in which the proceedings of the Catholic Association were reported. He begged to refer the right honourable gentleman to the language of their own petition, in which the petitioners expressly declared their intention to submit implicitly to the law, if the bill should pass into one;—but in the mean time they expressed a hope that they might be heard by counsel against the bill. That, he believed, was the substance of what was stated in the newspapers containing the petition.

Mr. Canning.—The honourable baronet has the advantage of me. I have not read any thing similar to what is now cited.

Sir Francis Burdett stated, that his information was derived from sources that were quite as open to the right honourable gentleman as to himself.

Mr. Canning.—I do not happen to have seen any newspaper statements at all, excepting those of the most general kind, upon the subject. The declaration which it now alluded to, I am to understand then, to be conditional.

Mr. Brougham, referring to the language of the petition, declared that the petitioners affirmed most positively, that as soon as the bill had received the royal assent, and

passed into a law, they would yield all obedience to it; but that, in the meanwhile—

Mr. Canning.—It appears then, that this profession of intended obedience is coupled with conditions. Now, to those conditions (without, for the present, proceeding in any manner to argue them), the House may or may not be prepared to assent.

Mr. Brougham, (reading from the petition itself) said, they proposed to render unconditional submission to the bill whenever it should have passed into a law; reserving to themselves, in the mean time, the right to adopt, with the permission of the House, the best and most legal method of representing their grievances—namely, of being heard by counsel at the bar against the bill.

Mr. Canning.—Then I am to understand that this is a promise of unconditional submission?

Mr. Brougham.—Most undoubtedly.

The fact, then, Sir, is clearly stated, that the Catholic Association means to submit to the law; and after this information, I repeat I will not persevere in the course of argument, which, had the intentions of the petitioners been at all doubtful, I should have thought it necessary to pursue. I meant to show to the House, that the very circumstance of the Catholic Association being (as it was boasted to be) in possession of an entire mastery and control over the Catholic body, afforded a cogent reason, not for refusing to allow this bill to be brought in, but on the contrary, for passing it without delay. This opinion, Sir, I formed on two grounds; the first embracing that

general view, upon which I have argued the necessity of bringing in this bill at all—namely, that it is not fit that there should exist, under any circumstances, a body holding itself forth, or described or recognized by others, as the depository of the confidence and the organ of the will of the whole Catholic population of Ireland; nor could any such body, however constituted, be tolerated in the exercise of such assumed functions; seating itself, as it were, by the side of Parliament, and intercepting the allegiance of the people. The second ground was, that the assertion and the belief that this society was, as described, the depository of the confidence of the Catholics, and the organ of their will, could not but be in the highest degree prejudicial to the Catholic Question: and that, therefore, for the interests of the Catholics themselves, an end ought to be put to the Catholic Association.

Such, Sir, is the course of argument which I should have felt it my duty to pursue, but for the information now communicated by the honourable baronet and vouched by the honourable and learned gentleman. That information appears to me to render such a course of argument superfluous. That the bill will pass through this House by a great majority I have not the slightest doubt: and since the assurance is now authentically given, that so soon as the bill shall have become a law, unqualified submission will be rendered to it, I

am not desirous of enforcing any arguments, the effect of which is already anticipated, nor of pressing any which might tend to introduce unnecessary acrimony into this discussion.

I revert, therefore, Sir, to that second part of the discussion in which I was proceeding when the honourable baronet interrupted me, namely, to what relates to the Catholic Question. I stated, without reserve, on the first night of the session, that my opinions and wishes upon that question remain altogether unaltered. But I do not think it the best proof of the sincerity with which wishes and opinions in favour of any particular cause are entertained, to shut one's eyes to any disadvantage (temporary and transient disadvantage I am willing to hope) under which that cause may labour. I certainly think that the Catholic Question labours under such temporary disadvantage at this moment: and I think the very evil that we are discussing, one of the main sources of that disadvantage.

I am of opinion, that the existence and proceedings of the Catholic Association have greatly alienated the public mind of England from the Catholic cause. I declared that belief on the first night of the session. I have seen nothing to alter it. But I did not, and do not state this to be the only ground of what I believe to be the present feelings of this country.

If the Catholic Question has within these few

years retrograded in the favour of the people of England, as (expressing a most reluctant and painful conviction) I think it has, I know not how I can better explain what appears to me to be one principal cause of that retrogradation, than by referring to the speech of the right honourable gentleman (Mr. Tierney) who concluded the debate on Friday evening. In that part of his speech in which the right honourable gentleman stated himself to be then, for the first time in his life, opening his lips in defence of the Catholic claims, which he had for so many years been contented to support with his silent vote, the right honourable gentleman,—with that good sense which always distinguishes him in debate, and by which he knows so well how to select and to urge those topics that are likely to have most effect, either with the House or with the country,—thought it necessary to preface his declaration, in favour of concession to the Catholics, with a personal profession of faith. He described himself as being, not only from birth and education, but from inquiry and conviction, a staunch adherent to the Church of England. For like reasons, no doubt, an honourable and learned civilian (Dr. Lushington), who spoke last night, took occasion to make for himself the same profession of faith, in terms even more energetic than those employed by the right honourable gentleman. Sir, I take these declarations for proof that the gentlemen

who make them believe (as I believe) that the establishment of the Church of England is deeply and firmly rooted in the affections of the English people.

Now, Sir, the sentiments thus expressed by the right honourable gentleman, and by the learned civilian were, as most honourable gentlemen know, and as I, from my frequent communications on the subject of the Catholic cause with that great man, had opportunities of learning personally from him,—these sentiments, I say, were the settled sentiments of the late Mr. Grattan. In every bill which Mr. Grattan ever presented to this House in favour of the Catholic claims, there was a studious setting forth, in its preamble, of the principle that the Establishment of the United Protestant Church of England and Ireland was permanent and inviolable. And so far from meaning to prejudice that permanency and inviolability, Mr. Grattan always contended that the tendency of his proposed measures was to confirm and strengthen that Protestant Church Establishment.

What is the language of the Resolutions on which the Act of Union between Great Britain and Ireland was framed? I beg the House to allow me to recal it to their recollection. The Fifth Resolution runs as follows:—

"That it be the Fifth Article of the Union, that the Churches of England and Ireland, as now by law estab-

lished, shall be united into one Protestant Episcopal Church, to be called 'The United Church of England and Ireland;' and that the doctrine, worship, discipline, and government of the said United Church shall be, and shall remain in full force for ever, as the same now are by law established for the Church of England; and that the continuance and preservation of the said United Church, as the Established Church of England and Ireland, shall be deemed and taken to be an essential and fundamental part of the Union."

This, I say, is one of those Resolutions on which the Union was founded. And it was in reference to the corresponding article of the Union, that every bill which Mr. Grattan introduced into Parliament for the relief of the Roman Catholics was framed. I believe also, Sir, that in the bill introduced by my right honourable and learned friend (Mr. Plunkett) for a similar purpose, there was a clause in the preamble similar to that in Mr. Grattan's bills. The preamble in Mr. Grattan's bills was in substance this:—"Whereas the United Protestant Church of England and Ireland *is established permanently and inviolably*," and "whereas it would tend to promote the interests of the same, and to strengthen the free constitution of *which the said United Church forms an essential part*, to admit the Roman Catholic subjects of His Majesty unto a full participation of civil privileges," &c.

From the care thus taken to repeat and enforce the provision made by the Act of Union for the

inviolability of the United Protestant Church Establishment of England and Ireland, up to the latest period at which bills for the relief of Roman Catholics have been introduced into this House, the belief of the people of England has been that this article of the Union would form a fundamental rule for any conciliatory arrangement. But within the last two years, propositions have been introduced into this House, and have been received here with more or less favour, which are directly contrary to the principles thus laid down, and directly and avowedly hostile to the inviolability of the Established Protestant Church of Ireland. I speak with knowledge of the fact, when I say, that these propositions, and the manner in which they have been entertained, have revived apprehensions which were previously quieted, and have excited serious alarm among sincere well-wishers to the Catholic cause, as advocated and explained by Mr. Grattan. The Resolutions to which I refer were moved on the 4th of March, 1823:—

1. "That the property of the Church of Ireland, at present in the possession of the bishops, the deans and chapters of Ireland, is *public property*, under the control and *at the disposal* of the legislature, for the support of religion, *and for such other purposes* as Parliament in its wisdom may deem beneficial to the community; due attention being paid to the rights of every person now enjoying any part of the property.

2. "That it is expedient to inquire whether the present

Church Establishment of Ireland be not more than commensurate to the services to be performed, both as regards the number of persons employed, and the incomes they receive; and if so, whether a reduction of the same should not take place, with due regard to all existing interests."

The first of these Resolutions was negatived without a division: on the second, the numbers who affirmed it were 62, the noes 167. In the year 1824 the second of these Resolutions, with a slight omission, was brought forward again: the division upon that occasion was, ayes 79, noes 153.

Now, Sir, I repeat it, I positively know that this evident and wide departure from the principle which Mr. Grattan always thought necessary to put forward as preliminary to any chance of a favourable reception for the Catholic Question, has excited much suspicion and jealousy. I repeat, that it has disinclined from a favourable opinion of the question some even of those who have been most anxious and ardent in their desire that Mr. Grattan's bill should pass: but more, many more of those who had just brought their minds to an abstinence from opposition to it. I beg the right honourable gentleman (Mr. Tierney) not to suppose that I apply any thing which I am now suggesting, personally to him. I do not know that he voted for these Resolutions; I believe he never did. All that I mean by appealing to the right honourable gentleman's speech, is to

take advantage of his authority; and to show that the right honourable gentleman and myself, and a greater man than either of us, Mr. Grattan, all agreed in holding one and the same estimate of the feelings of the people of England; in believing that the people of England are unchangeably attached to the Church of England; and that they know the Protestant Church of England and of Ireland, to be, according to the articles of the Union, one, indivisible and inviolable.

Mr. Grattan considered it necessary to consult the feelings, or, if you will, to respect the prejudices of the English people in this respect, and to found his measure upon a careful observance of them. The Resolutions to which I have referred, bespeak a disposition, and no inconsiderable disposition, to overlook the guides, and to break down the principle so respected by Mr. Grattan. Who is there, then, among those who are favourable to the Catholic Question, and still more amongst those who think the carrying of it the one thing needful for the peace and strength of the United Kingdom, but would acknowledge it to be an inauspicious circumstance for the success of that question, that any doubt should go forth as to the disposition of those who bring it forward, to tread in Mr. Grattan's steps, and to proceed with all his tenderness and consideration towards the Protestant Church Establishment? When the honourable gentleman on the other side of the

House shall bring forward any measure for the relief of the Catholics, I warn them, and I warn them in kindness,—that unless their bill shall manifest the same anxious regard for the inviolability and permanency of the Protestant Church of England and Ireland, as Mr. Grattan's bills, it will fail. It may be that some of those who think the carrying the Catholic Question the one thing needful, may also think that it would have been better if the Legislature had never been bound by an irrevocable pledge to preserve the inviolability of the Church of Ireland,—that it would be better if Parliament were to revoke that pledge. But I warn the honourable gentlemen, that they must settle that matter—not with the opponents of their bill only, but—with many supporters of the Catholic Question, and with the Protestant people of England; that before another bill for Catholic emancipation can be successfully carried through this House, the proposers of the Resolutions which I have quoted must make up their minds to one of two alternatives,—either to renounce those Resolutions, or to despair of the Catholic Question. On this statement I am quite ready to go to issue; and I am content to be judged by the event.

Let it not be inferred that I am therefore unfriendly to the Catholic Question. I peremptorily deny that inference. I am at all times ready to give the Catholic Question my best support, but

I plead guilty to the charge of being irreconcileably unfriendly to the spoliation of the Protestant Church of Ireland.

I trust, Sir, there is no inconsistency in maintaining the Protestant Church Establishment, and in conceding at the same time civil and political rights to our Catholic fellow subjects. At all events, it is an inconsistency which I am content to share with the right honourable gentleman to whose speech I have referred. I agree with him in wishing that holders of the Roman Catholic faith may be admitted to the franchises and privileges of others of His Majesty's subjects, (not from any want of conviction of the absurdities of the Roman Catholic religion, nor yet from any lukewarmness in my affection for that purer reformed religion, in which I have had the good fortune to be bred): but if I think it possible, as I do, to maintain both religions in perfect harmony together, impossible, I am sure it is, to maintain at the same time a bill for carrying the Catholic Question, and the Resolutions proposed to this House in 1823 and 1824.

I think, Sir, I have justified my statement, that there are reasons, independent of the Association, why the Catholic cause has retrograded, during the last two or three years, in the minds of the people of England.

I do not, however, mean to say that this retrogradation of the question in the minds of the

country is irretrievable. Nothing like it. It is in the power of this House effectually to tranquillize the fears which I have represented as pervading the minds of the people of England, respecting the security of the Protestant Church Establishment.

Sir, though nothing can be more injudicious than those arguments which tend to confound the Catholic Association with the Catholic population of Ireland—and though I utterly deny that the Catholic Association and the people of Ireland are to be considered as one, yet I cannot be supposed to have meant to say that, so far as the Catholic Question is concerned, there can be any other than one unanimous feeling throughout the Catholic population of Ireland.

Nor was this, as I believe, the true sense of a statement made on this side of the House (I am not quite sure on which night of the debate), and completely misunderstood (as it appears to me) by an honourable gentleman opposite. It was stated, that all that remained to be granted to the Irish Catholics affected the higher classes of society only, that we had already granted all the concessions which could affect the mass of the people; and it has been attempted to infer from this statement, that it was intended to argue that the granting of what remained must be, therefore, matter of indifference to the people. Now there is no argument that I should be more eager to

combat, (it is one which I have often combated), than that which assumes that the lower classes of society are not affected by what peculiarly regards the higher, which supposes that there is no necessary sympathy between these classes, however numerous the links of the chain which connects them together. It is, indeed, true that what remains to be granted to Ireland, must now be granted chiefly to the higher classes; for it does happen, by what I cannot but consider to have been an unfortunate mistake in legislation, that almost every thing which Parliament has hitherto conceded, has been granted to the lower orders of society. I did not however understand this statement to be put forward as an argument against further concession, but simply as a fact; and as a fact condemnatory of past legislation, rather than prohibitory of legislation to come. What may yet remain to be granted to the Catholic peer, is deeply interesting to the Catholic peasant. Until all classes of Catholics shall be admitted to a participation in the privileges of their Protestant fellow subjects, (with some qualifications indeed, too much matter of detail to enter into now)—until they shall be admitted to the full extent which Mr. Grattan proposed, I do not expect—not that much good may not be done, (for past concessions have already done very great good, and many, many improvements have been introduced into the state of society in Ireland, with

which the Catholic Question has no concern), but I do not expect that the great work will be complete. The concessions which remain to be granted will be the crown and finish of the whole.

So much, Sir, for the Catholic Question; and quite as much as, in an occasion in which it is not the proper subject of debate, it can be necessary to say upon it.

I come now to the third division of the matters of which I find myself compelled to treat. Not the honourable baronet alone, but many others who preceded him in this debate have imputed as a reproach to the present Administration, that we are divided in opinion on the Catholic Question. I ask the honourable gentlemen who have made this charge, to be so good as to tell me *when* that Administration existed (since the Union with Ireland) in which there prevailed a common sentiment respecting the Catholic Question? I challenge them to point out a single month for the last twenty-five years, when division of opinion on that question has *not* existed among the confidential servants of the Crown; and when the objection to sitting in a chequered Cabinet has not been just as applicable as at the present moment. I defy the honourable baronet to disprove this assertion. There have, indeed, been periods, when this conflict of opinions had no practical operation; because it was superseded

by a general understanding that all the members of the Cabinet, whatever might be their personal opinions, concurred in *resisting*, for the time, all consideration of the Catholic claims; but of a Cabinet concurring in opinion to *grant* the Catholic claims, I repeat there is no example. Wherefore then is the *present* Cabinet to be selected as an object of peculiar reprehension on this account?

When Mr. Pitt retired from office in 1801, on account of his inability to carry this question, the Administration under Lord Sidmouth (then Mr. Addington) was formed—formed, it is needless to say, on the basis of a determined resistance to it. Of that Administration Lord Castlereagh subsequently became a member; but the Cabinet was still avowedly and systematically hostile to the discussion of the Catholic claims. No attempt was made during its existence to bring those claims into discussion.

To Lord Sidmouth's Administration succeeded, in 1804, that of Mr. Pitt. During Mr. Pitt's Administration, individual differences of opinion upon this subject were kept in abeyance by one preponderating sentiment, in which there was a general agreement. There was, in the feelings of all the members of that Cabinet, an insurmountable obstacle to the discussion of the Catholic claims; an obstacle, of which it is difficult to speak in proper parliamentary language, but which

has been so often alluded to in debate, that it must be known to every man who hears me. It is now matter of history. I mean that scruple of the royal mind which Mr. Pitt determined to respect, and which was pleaded, in no obscure terms, as one main ground of his resistance, in 1805, to the motion then brought forward by Mr. Fox for the consideration of a Roman Catholic petition. Of the validity of that obstacle, and of the respect which it was just and right to pay to it, I will not enter into any argument. I aim not so much at showing who was right, or who was wrong, at any particular moment, in the series of successive Administrations, as at giving a faithful picture of their respective conduct. In this spirit I beg to be distinctly understood by the honourable gentlemen opposite, as not intending to use the vulgar reproach of "You did the same," when I proceed, as next in course of history I must, to Mr. Fox's and Lord Grenville's Administration.

On the death of Mr. Pitt, in January 1806, Mr. Fox, jointly with Lord Grenville, succeeded to the management of affairs. Mr. Fox certainly did not hold in the same respect as Mr. Pitt professedly had done, the scruples of the King's conscience: for Mr. Fox's motion in 1805 was made and maintained in direct (I do not mean to say whether proper or improper) defiance of those scruples. That motion was not eight months old,

when Mr. Fox seated himself as Minister in Mr. Pitt's place in the House of Commons.

Here, therefore, I desire the House to pause with me, while I put a question or two to the honourable gentlemen opposite. If the necessity for making the Catholic Question a Cabinet Question is so very apparent, how happened it not to strike Mr. Fox in that light, when he took office in 1806? It will not be said that Mr. Fox was so unimportant an element in any Administration to be formed in this country, after the loss of Mr. Pitt, that he could not have dictated terms, which it is always taken for granted, and made matter of charge that I could have dictated if I pleased, in 1822. How then are we to account for it, that Mr. Fox, in forming his Cabinet, not eight months after he had brought forward his motion, (the first since the Union) for Catholic Emancipation,—so far from having endeavoured to bring together a Cabinet harmonious and consenting on the Catholic Question, should not even have been contented with the single dissent, which he possessed—and could not perhaps get rid of—in his Lord Chancellor (Lord Erskine), but should have gone out of his way to bring into the Administration the two persons in public life the most decidedly and notoriously opposed to that question? The first of these was Lord Sidmouth, with whom neither Mr. Fox nor Lord Grenville had ever had any political connection, and to whom they could

therefore have no political pledges; the other was sought for in a quarter in which I trust a member of a Cabinet will never be sought for again, on the highest seat of justice—the chief criminal judge of the kingdom. Let it not be said that Lord Sidmouth's and Lord Ellenborough's sentiments on the subject of the Catholic Question were unknown. By Lord Ellenborough, I believe,—by Lord Sidmouth, I am confident, (for he has more than once declared it in his place in the House of Lords,) a formal and solemn claim to freedom of action upon the Catholic Question was distinctly stipulated, before they would accept the offices that were tendered to them. It was, therefore, knowingly and advisedly, that these discordant materials were incorporated into that Government; a Government (be it observed, too) which *did* make the abolition of the Slave Trade for the first time, a Cabinet Question; and which had, therefore, the doctrine of *cabinet questions* full and clear before their eyes.

I do not wish to press this point harshly or invidiously; but it does require, I think, some courage,—some front—in those who were connected with Mr. Fox's Administration of 1806, to catechize any man, or any set of men, as to their motives for framing or belonging to an Administration divided in opinion upon the Catholic Question. I say, Mr. Fox's Administration, not as presuming to apportion power between the

eminent individuals of whom that Administration was composed, but, in order to mark particularly that period of the Administration of 1806, during which Mr. Fox was alive. During Mr. Fox's life-time, it is perfectly notorious that there was not a stir, not a whisper, towards the agitation of the Catholic Question, or of any thing connected with it. In the interval between Mr. Fox's death, and the dissolution of Lord Grenville's Administration, an attempt to moot a part, and no unimportant part of the question, was made; and it is, therefore, that I address to the friends of Mr. Fox, not to those of Lord Grenville, the interrogatories which I have taken the liberty to propose.

Sir, to Lord Grenville's Administration succeeded, in 1807, that of the Duke of Portland; which, being formed in a great measure out of the materials which had been broken up by the death of Mr. Pitt, naturally inherited his principles, and walked in his steps. The obstacle which had opposed itself to the favourable consideration of the Catholic Question in Mr. Pitt's time, continued unchanged. I think it not necessary to make any other defence for myself for having adopted Mr. Pitt's principles, than that they *were* Mr. Pitt's. I continued to abide by them so long as the same obstacle existed. I followed the course which he had pursued, and I followed it equally *in* office and *out* of office. Under the influence of his example I resisted the question in

1808, when I was a Minister. I resisted it again in 1810, after I had resigned my office; when I had no tie to controul me; and when, my opinions being what they have been ever since and are now, I should naturally have taken a different course, if unrestrained by the motive which I have described.

I resigned my office in 1809; and shortly after, by the death of the Duke of Portland, the Government devolved into the hands of Mr. Perceval. Mr. Perceval's sentiments on the Catholic Question are well known. His Cabinet, however, contained members differing from him, and agreeing with me, upon that Question: but restrained, like me, from manifesting that difference of opinion, by the same obstacle which we alike respected.

Sir, I now come to the year 1812; a critical æra in the history of the Catholic Question: and one to which, as I must now advance in my narration by months instead of years, I entreat the particular attention of the House.

In 1812, as in the preceding years of 1811, and 1810, I was out of office. In the beginning of that year the restrictions on the Regency were removed. I considered that removal as carrying away with it the obstacle which had so long impeded my free course on the Catholic Question. I considered the unrestricted Regency as tantamount to a new reign. On that occasion, there-

fore, I imagined that the Ministers, my former colleagues, whose opinions I knew to agree with mine on the Catholic Question, would feel themselves unfettered for the discussion of it, whenever it might come before the House. Such was my own feeling. Such I knew to be that of Lord Wellesley; who about this time resigned his situation in Mr. Perceval's Administration, and was succeeded by Lord Castlereagh as Secretary for Foreign Affairs.

On the first occasion, however, on which the Catholic Question was brought forward, both Mr. Perceval* and Lord Castlereagh stated, that, however differing in opinion on the Catholic Question, the Ministers were, for the present, united as one man to *resist* the *consideration* of it.

* Extract from Mr. Perceval's Speech, April 24, 1812. "At the same time, Sir, I must state that it is the unanimous opinion of all those with whom I am connected, that the present is not a moment in which any further concessions ought to be made to the Roman Catholics."

Extract from Lord Castlereagh's Speech the same night. "With respect to the vote I shall give to-night, my right honourable friend (Mr. Perceval) has truly stated, that the Cabinet are unanimous in this opinion, that the question of concession to the Catholics could not now be conveniently agitated, nor any inquiry gone into upon the subject of the legal disabilities of His Majesty's Catholic subjects in Ireland, with the hope of coming to any ultimate and satisfactory arrangement."—*Parliamentary Debates*, Vol. xxii. pp. 956 and 1004.

Upon that occasion it was that I gave the first vote that I ever gave in favour of the Catholic Question; and upon those statements of the Ministers I founded a notice of a motion, the object of which was to obtain a parliamentary declaration in favour of that *consideration* of the Catholic Question which the Administration were united to resist.

While that motion was depending, Mr. Perceval died; and his death produced from the remaining part of the Administration a proposal to me to come into office. The only question which I put on this occasion to my noble friend (Lord Liverpool) who was the bearer of this proposal to me, was, whether the Administration continued in the same determination with respect to the Catholic Question, which had been announced by Mr. Perceval and Lord Castlereagh in debate a few weeks before; which determination was (I beg the House to recollect) to *resist* as one man the *consideration* of that question. I was answered that that determination continued unaltered; and I refused to come into office. Did I, by so refusing office, give any proof of subserviency to those vulgar inducements which the honourable baronet assumes to have so powerful an influence on every public man? Did I manifest a disposition to sacrifice my integrity to my interest, or —what would be less disgraceful perhaps, though disgraceful enough—to my ambition?

And yet, Sir, that refusal was not quite an ordinary effort. I had, at that moment a temptation to take office, more powerful perhaps than I have felt at any other period of my political life. There are circumstances which excuse, in generous minds, a strong desire for power: and such precisely were the circumstances under which office was now tendered to my acceptance. I had been Secretary of State during the first years of the war in the Peninsula. I had been in a measure the author, and in this House the responsible defender, of that animating but difficult struggle. I had, therefore, gone through all the parliamentary contests which the disasters and reverses that attended the commencement of the Spanish war, called down upon the Administration; I had borne the brunt of all the attacks, and buffetted all the storms, with which the opposition of that day had assailed us. Certainly, Sir, my opinions had never been altered, nor my hopes depressed, by the misfortunes of the early campaigns in Spain. I had anticipated, even in the hour of the deepest gloom, a brighter and more fortunate period, when the gale of fortune would yet set in gloriously and prosperously for the great cause in which we were embarked. In 1812 the prospect had begun to clear; victory attached itself to our standard; and the cause which I had so long advocated under less auspicious circumstances, appeared to promise, even to

less sanguine eyes, those brilliant results which ultimately crowned it. And, Sir, I desire to ask any man who hears me, and who has within him the heart of an English gentleman, animated by a just desire to serve his country, whether greater temptation to take office could possibly be held out to any one, than was at that time held out to me, at the very moment when I might have come in to reap the fruits of the harvest, which I had sown under the lowering atmosphere of distrust and discouragement, and the early and ungenial growth of which I had watched with such intense anxiety? At such a moment I was called to resume my station in the councils of my country: but the answer of the Cabinet being what it was on the Catholic Question, I declined the call. Was this to sacrifice my conscience and the Catholic cause to the love of office?

After these transactions, that is to say, after this offer of office to me, and a simultaneous one to Lord Wellesley, and our refusal of these offers, a motion was made in this House to address the throne for the formation of a more efficient Administration. That motion was carried; and the negociation for the purpose pointed out in the Address, was confided to Lord Wellesley and myself. On the day after this commission was received by Lord Wellesley, Lord Wellesley, with my concurrence, addressed to Lord Grey, and I, with Lord Wellesley's concurrence, addressed to

Lord Liverpool—a proposal for forming a combined Administration. The basis upon which we proposed to form this Administration was laid in two propositions; 1st. a vigorous prosecution of the war in Spain: 2d. a fair *consideration* of the Catholic Question. The object of this last proposition was manifestly and avowedly not to form a Cabinet *united* in opinion upon the Catholic Question, (for how could Lord Liverpool and his friends be expected to make such a surrender of their opinions?) but to undo the bond by which the displaced Administration had been united together *against* all *consideration* of the Catholic Question. Our wish was to bring together, in one comprehensive scheme, all the best talents of the country, in a crisis of unexampled difficulty; and at the same time to secure to the Catholic Question the advantage of a free discussion in Parliament.

What does this statement prove? Why it proves that my course on that occasion, was consistent with my practice now; that as, on the one hand, I had refused to make part of an Administration combined *against* the Catholic Question; so, on the other, I did *not* think it necessary or wise to proscribe every man whose opinion differed from mine on that single question, while on other questions, touching the safety and interests of the country, we agreed. The notion may be absurd; the error in judgment may be gross and

unpardonable; but I did think then, as I think now, that an Administration might be formed on a basis, quite distinct from that of the recognition of the Catholic Question, as a Cabinet measure, and as the single paramount necessity of the state; that an Administration, I say, might be well, and rightly, and usefully, and honestly formed, of which the members differed conscientiously from each other on that Question, and that such an Administration might yet have the means of rendering great service to the country.

Here again, what becomes of the reproach, that for the sake of office, I gave up that Question? On this occasion I was not a candidate for office: I was employed to offer it to others. I was concerned in forming an Administration, not seeking an appointment in or under one: and it was under such circumstances, that I was prepared and desirous to act with colleagues of my own selection, on the very basis on which the present Administration stands.

It is, therefore in the highest degree disingenuous to pretend that by my refusal to accept office after Mr. Perceval's death, I implicitly pledged myself never to belong to any Cabinet which was not determined to carry the Catholic Question. If on the 17th of May, (the time of the offer and refusal of office) I refused to come into an Administration *united against* the Catholic Question—and if by that refusal I meant to say,

"I will never enter office except with an Administration *created to carry* this Question,"—what madness was it in me, within a short fortnight afterwards, when I had the power in my own hands, to endeavour to form a mixed Administration? The accusation merely requires to be stated to refute itself.

I must again and again apologise to the House for these dull details: but it is due to truth, and to my own character, once for all to develope these particulars. And of one thing the House may rest confidently assured—that it is the last time that I will condescend to such a justification.

To return to the year 1812. The attempt to form a mixed Administration failed,—but it failed on quite other grounds than those of a want of unanimity of sentiment upon the Catholic Question. It broke off on other difficulties which it would not be to the present purpose to detail. And after some fruitless negociations, to which I was no party, the displaced Administration was restored.

These, Sir, are the circumstances which preceded my motion on the Catholic Question, of which notice had been given by me (as I have said) before the death of Mr. Perceval.

A few days before my motion came on, the bond of union which had existed in Mr. Perceval's Cabinet, and which continued after his death, against the consideration of the Catholic Ques-

tion* was—I know not (of my own knowledge) from what motives or upon what suggestion—removed. An opportunity was taken by Lord Castlereagh, who had succeeded to Mr. Perceval's situation in this House, to announce that the Administration was no longer, as heretofore, *united against* the measure; but that the members of it were at liberty to take each their own course; pledging their honour not to exercise the influence of the Government either way, in support of their particular views of the subject. Sir, was this nothing? This important change does not now indeed obtain the approbation of the honourable gentlemen opposite; but Mr. Grattan, the great advocate of the Catholics, thought differently. I well recollect, Sir, how he felt the change thus announced; I well recollect how cordially he and

* June 10, 1812.—Mr. Spencer Stanhope wished to know if it was intended on the part of the present Ministers that the same policy in every respect, should be observed by them in reference to the Catholic Question, which had been observed by the Administration under the conduct of a late right honourable gentleman?

Lord Castlereagh said, in answer, That upon a former occasion, they had thought, inclusive even of those who had been favourable to the measure, that the present was not the time for discussing that question; * * * but that it had been resolved upon as a principle, that the discussion of this question should be left free from all influence on the part of the Government, and that every member of that Government should be left to the free and unbiassed suggestions of his own conscientious discretion.—Parliamentary Debates, Vol. xxii. pp. 394 and 395.

I congratulated each other, on the breaking down of one great bar at least, which opposed our common wishes.

It was under these new and auspicious circumstances that my motion was discussed, I think on the 22nd of June 1812. That motion brought into play, for the first time, the individual opinions of the members of the Cabinet; it brought forward Lord Castlereagh as one of the most efficient supporters of the Catholic Question; and my motion was carried by a majority—which, would to God I could see again—by a majority of one hundred and twenty-nine.* This, Sir, is what I did,—this is the service which it was my fortune to render to the Catholic cause in the House of Commons —this, was the first, and it is as yet the greatest triumph, that ever crowned that cause. The same motion was shortly after brought forward in the House of Peers, by Lord Wellesley; when the

* "Resolved, That this House will, early in the next Session of Parliament, take into its most serious consideration the state of the laws affecting His Majesty's Roman Catholic subjects in Great Britain and Ireland; with a view to such a final and conciliating adjustment as may be conducive to the peace and strength of the United Kingdom; *to the stability of the Protestant Establishment;* and to the general satisfaction and concord of all classes of His Majesty's subjects."

Ayes	235
Noes	106
Majority in favour of the Resolution..	129

numbers were one hundred and twenty-five for it, and one hundred and twenty-six against it: the motion being thus lost by a majority of only one. These were the services of individuals whom the Catholic Association deem themselves entitled to consider as enemies to the Catholic cause; and in comparison with whom the honourable gentlemen opposite think that they are entitled to claim all merit to themselves! These were the halcyon days of the Catholic Question, and happy should I be if there were any near prospect of the like again!

From the time I have spoken of, in 1812, the Cabinet went on acting upon the same principle with respect to this question, the principle of treating it as a question out of the ordinary course of ministerial business; as one to be argued upon its own merits, such as they might appear to each individual member of the Administration. That principle was to me perfectly satisfactory: and from the moment that this change in the system of the Administration had taken place, I thought myself perfectly at liberty, so far as the Catholic Question was concerned, to join them. I did not join them indeed: but we co-operated cordially in Parliament; and in the following year, 1813, a bill was brought in by Mr. Grattan (in pursuance of my Resolution of 1812),which bill Lord Castlereagh most ardently supported; and which but for our own mis-judgment, might, and to all appearance would, have passed this House. It had

passed through the second reading with a considerable majority. The clause conceding seats in Parliament, was lost in the Committee by a majority of only four; upon which the bill was most unwisely abandoned.

Let me then be allowed again to ask, Sir, why, when the principle of a mixed Cabinet has been acted upon for five and twenty years, in respect to the Catholic Question, why is the *present* Cabinet to be alone arraigned for a vice which it shares with so many of its predecessors? And why am I to be held personally liable to responsibility for a system in which I have no more personal concern than any other member of the several Cabinets since the Union? I think I can throw some light on the motives for this last selection.

Sir, the speech of a right honourable gentleman (Mr. Tierney) opposite, to whom I am already indebted for a valuable support in part of my argument, will aid me on this point also. The language which he used on Friday has been uniformly my language. The right honourable gentleman told us that he supported the Catholic Question,—not for the sake of the Catholics alone, but for the sake of the state; not with the feelings of a party man advocating a party question, not as a boon to a single class, but as a benefit to the universal and comprehensive whole. Such, Sir, has always been my course. I have always acted,

in respect to this question, on my own judgment; not on that of the parties more immediately concerned. I have scrupulously abstained from communication with the Catholic leaders. Why? Because, while anxious to forward their legitimate object, I have nevertheless seen, in their acts and proceedings, much to disapprove. In 1813, what was their conduct in respect to the bill which had so nearly obtained the sanction of the House of Commons? Was it not scouted by them, reviled, disdainfully abjured, and almost threatened to be rejected if Parliament should pass it into a law?

Sir, I have always refused to act in obedience to the dictates of the Catholic leaders; I would never put myself into their hands, and I never will. My doctrine has always been that when any set of men, Catholics or Protestants, have a grievance to complain of, for the relief of which they resort to Parliament, it is for Parliament, and Parliament alone, to consider their case, and to decide what relief shall be extended to them: it is for the petitioners to receive that measure of relief with thankfulness and submission. I have always denied to such parties the privilege of stipulating and meting out for themselves the measure of relief with which they would be satisfied; and of dictating to Parliament the terms on which their claims should be adjusted. This unpalatable doctrine both in and out of office I have

maintained. Events have confirmed, and continue to confirm, to my mind, the propriety of the line which I have taken. Much as I have wished to serve the Catholic cause, I have seen that the service of the Catholic leaders is no easy service. They are hard task-masters: and the advocate who would satisfy them must deliver himself up to them bound hand and foot. What need of further proof of this than is afforded by their recent discussions about their oldest and steadiest friend, the Earl of Donoughmore?

Again, Sir, I feel that many apologies are due to the House, for thus trespassing on their patience in vindication of my character and motives from imputations, of which, if I know any thing of my nature, I have some right to complain. But to be taunted with want of feeling for the Catholics—to be accused of compromising their interests, conscious as I am—as I cannot but be—of being entitled to their gratitude for a long course of active services, and for the sacrifice to their cause of interests of my own—this is a sort of treatment, which would rouse even tameness itself to assert its honour, and vindicate its claims.

I have shown that in the year 1812, I refused office rather than enter into an Administration pledged against the Catholic Question. I did this at a time when office would have been dearer to me than at any other period of my political life; when I would have given ten years of life for two

years of office; not for any sordid or selfish purpose of personal aggrandisement, but for far other and higher views. But is this the only sacrifice which I have made to the Catholic cause? The House will perhaps bear with me a little longer (as it has already borne with me so long) while I answer this question by another fact.

From the earliest dawn of my public life—aye, from the first visions of youthful ambition—that ambition had been directed to one object above all others. Before that object all others vanished into comparative insignificance; it was desirable to me beyond all the blandishments of power, beyond all the rewards and favours of the Crown. That object was to represent in this House the University in which I was educated. I had a fair chance of accomplishing this object, when the Catholic Question crossed my way. I was warned, fairly and kindly warned, that my adoption of that cause would blast my prospect. I adhered to the Catholic cause, and forfeited all my long cherished hopes and expectations. And yet I am told that I have made no sacrifice—that I have postponed the cause of the Catholics to views and interests of my own. Sir, the representation of the University has fallen into worthier hands. I rejoice with my right honourable friend (Mr. Peel) near me, in the high honour which he has obtained. Long may he enjoy the distinction, and long may it prove a source of reciprocal

pride, to our parent University and to himself. Never till this hour have I stated, either in public or in private, the extent of this irretrievable sacrifice; but I have not felt it the less deeply. It is past, and I shall speak of it no more.

Sir, by the exposition with which I have presumed to trouble you, I am not vain enough to suppose that I shall make proselytes of my political opponents. All that I have desired is, to lay before the House the grounds of my conduct on this question, and to explain, step by step, my actions and the motives which led to them. I am conscious of the truth of every syllable that I have stated. The impression which may have been made by that statement, is not indifferent to me; but be it what it may, I shall never revert to the subject again.

I trust then, Sir, that I have now disposed fairly of the last two points which I felt myself called upon to discuss. I have shown that the Cabinet is as good now for the purpose of the Catholic Question as it has ever been during the last twenty-five years; and better than at some periods during those twenty-five years, when the Ministers, however differing in opinion, were leagued together to resist the consideration of the Catholic claims.

But I have still a few words to add, and they shall be as few as possible, of myself. Sir, it has been imputed to me individually, with far too

flattering an estimate of my importance, that I have at this moment the means and the opportunity of carrying the Catholic Question. I do not exactly know by what process it is pretended that I can accomplish this great object. If it is meant that by resigning my office I could then, unshackled, and acting as an individual member of this House, bring the question again unreservedly before you, I answer, that whilst in the Government as well as out of it, I retain the power of taking such a part. But if it is meant that, after going on so long with my colleagues in the Cabinet, upon the principle of free action, respecting this question, I ought now to demand the formation of a new compact—that is a course, Sir, which I should disdain to take: I would ten thousand times rather quit office than turn round upon the Administration of which I am a member, and insist upon changing the footing upon which I entered it. But again, Sir, I declare that in office as well as out, I am at perfect liberty to moot this question whenever a sense of duty impels me to do so. Whether I shall do so while in office—whether I should do so if out of office—and when, in either case, the fit time for doing so may appear to be come, are points which I reserve for the decision of my own unfettered judgment. I hold it to be a question in which the vote and speech of no man ought to be irrevocably promised before-hand for any specific time. It is a

question to be deliberately weighed, and to be pressed or not, according to the operation of circumstances calculated to promote its success. When time and circumstances combine, I shall act for myself; but I will not be precipitated into any course of action, either by taunts on the one hand, or by compliments on the other. Coarse imputations, therefore, or flattering appeals, will equally be employed in vain: I will hold the reins for my own guidance, and will not be driven from the course which I have resolved to pursue.

The honourable gentleman (Mr. John Smith) who opened the debate on the other side of the House, on the first day of this lengthened discussion, was pleased to ask of me in terms of great civility and kindness, whether I do not love popularity? Sir, I am not insensible to the good opinion of honourable men, such as him who put to me this question. I am not insensible to the good will of an enlightened community. The man who disregards it, is not worthy to hold a high official station in a country which boasts a popular constitution. I have encountered too many of the vicissitudes of public life not to know how to meet censures which I am conscious I do not deserve. On the other hand I desire to retain popularity, but I would hold it honourably or not at all. "*Laudo manentem;*" or—to use the more beautiful paraphrase of Dryden:—

> "I can applaud her—while she's kind;—
> But when she dances in the wind,
> And shakes her wings and will not stay,—
> I puff the prostitute away."

Yes, Sir, I love, I covet, I enjoy popularity; but I will not court it by the surrender of my conscientious judgment, or by the sacrifice of my settled opinions.

But, Sir, I do not believe that any popularity which I may have the good fortune to enjoy, is put to hazard by my support of the bill now before us.

If the honourable and learned gentleman (Mr. Brougham) opposite, who on the first night of the session so gallantly identified himself with the Catholic Association, thinks that he has thereby gained the palm of popularity which I am losing, let me tell him that I cannot congratulate him on the fancied acquisition. On the contrary, I believe mine to be eventually the surer road. I do not mean to speak lightly of the honourable and learned gentleman's support of this question, or of the consequences attending it. I do not under-value the services of such an advocate in any cause which he thinks fit to espouse; I acknowledge freely his great talents and acquirements, his accumulated knowledge, and the prodigious power with which he brings all those qualities into action. I acknowledge

them the more freely, because it has been often our fortune to be opposed to each other :—

———" Stetimus tela aspera contrá
Contulimusque manus : experto credite, quantus
In clypeum assurgat, quo turbine torqueat hastam."

But valuable as these qualifications must at all times render him as an advocate to those whose cause he undertakes, he may still experience disappointment in the quarter where he expects to find his chief reward ; and may discover that he has mistaken the road, not only to the general approbation of the country, but even to the good graces of those whom he most immediately aims at pleasing. Differing, however, totally as I do from the honourable and learned gentleman in the estimation in which he holds the Catholic Association, I must, for the sake of the Catholic Question itself, and in order to retain the power of serving it, take my firm stand in support of the present bill.

Having always viewed the question of Catholic concession, not simply as it affected those whom it went to relieve, but with reference to the interest, happiness, and security of the whole country ; being persuaded that to make its beneficial effects thus extensive, we must carry the country with us ; believing that there is, in England, a great inert mass of opposition to the Catholic Question, which can only be worn down

by degrees, and which must be dealt with gently and considerately; that nothing would be more calculated to embody and confirm an obstinate resistance, than any apprehension on the part of the mass of the people of England, that the Government was leagued together for the express purpose of carrying that question; and that an Administration formed for the specific and avowed purpose of carrying it, would not only fail in that object, but would light up a flame throughout this country, which it would be most difficult indeed to quench; I still hope and trust that the question will ultimately succeed. If it succeeds, it will be through discussions in Parliament leading to favourable decisions. Such decisions must ultimately operate upon the Administration, which, however composed, cannot but feel itself bound to carry the decisions of Parliament into effect.

I do not despair of this result, if we proceed with sobriety and circumspection; but I doubt whether we can accomplish every thing at a single blow. I have already reminded the House, that in 1813 we might have carried a bill containing every thing but seats in Parliament, but we threw it up in a pet. I have never ceased to regret that hasty determination.

> "Ex illo fluere, ac retro sublapsa referri
> Spes Danaüm."

From that moment the Catholic Question began to lose ground.

But, Sir, the lost ground may yet be recovered. With a view to that recovery, I have already said we must quiet, in this country, the apprehensions entertained for the safety of the Protestant Church Establishment. With a view to that recovery, we must put down, in Ireland, faction, of whatever description; we must put down all unconstitutional associations, but, foremost, this Catholic Association, for which alone a stand has been made. I conjure the House therefore to entertain and to pass this bill; first, for the suppression of an association of which no government, worthy the name of a government could tolerate the existence; and, secondly, for the advancement of the great question to which that association has endeavoured to ally itself, an alliance of which the Catholic Question must be disencumbered before it can have fair play.

The House divided—

Ayes	278
Noes	123
Majority	155

ROMAN CATHOLIC RELIEF BILL.

APRIL 21st, 1825.

Sir F. Burdett moved the order of the day, for resuming the adjourned debate on the Amendment proposed to be made to the question, "That the bill be now read a second time;" which Amendment was, to leave out the word "now," and at the end of the question to add the words, "upon this day six months."

Mr. Secretary Canning rose, amidst general cries from all sides of the House, and spoke to the following effect:—

Often as it has fallen to my lot to address the House on this important question, I cannot approach the consideration of it on this occasion without feelings of the deepest anxiety. And yet it must be confessed, that the subject now presents itself under appearances unusually cheering. Whether the opinion of this country be not, in fact, as strongly opposed to concession to the Roman Catholics as I believed it to be at the beginning of the session, or that the abatement of the causes which at that particular period existed

(I refer of course to the proceedings at the Catholic Association) have proportionably diminished that opposition, I gladly admit that the number of petitions presented to this House is not such as to indicate that vehement and stirring hostility with which the Catholic Question has been heretofore assailed. This circumstance is of itself highly, and to me, I confess, unexpectedly satisfactory.

It is an additional satisfaction, that among the petitions which have been presented to the House, there is, in many of them, amidst all the sincerity and zeal with which they are laudably distinguished, a manifest ignorance, both of the state of the existing laws respecting the Catholics, and of the precise objects to which the present bill is directed. This ignorance—this want of accurate knowledge as to matters of law—is no disparagement to any man, nor is it stated by me in that intent. I state it merely as a cheering circumstance, because prejudices, founded on error and misapprehension, will, in honest and ingenuous minds, give way when that error is removed. I feel, Sir, as strongly as any man, the duty of throwing open the doors of Parliament to the petitions of the people. The opinions of the country, whatever they may be, are entitled to the most respectful and attentive consideration. But, after such consideration, it is the duty of the

House to proceed firmly upon its own judgment.

With respect, therefore, to all British subjects—but especially to that class of them who conceive themselves more particularly interested on the present occasion—who are placed in advance, as it were, as guardians of the religious institutions of the country—with respect to the clergy of England, I not only admit their right to make known their opinions to Parliament, but I should think them wanting in their duty if they did not come forward with the fair and candid expression of those opinions. Even in the petitions, however, from that most respectable body, I have found some erroneous apprehensions as to the real state of the law as it stands at present, with respect to Roman Catholics. I repeat, that I impute no blame to the individuals who have acted under these erroneous apprehensions. They share those apprehensions with many other persons—with some of the members of this House—who have not the like excuse of constant professional avocations to justify their want of accurate information upon topics not within their daily occupation. But the fact is as I have described it: and the description applies peculiarly to one petition (to which I will call the attention of the House, without mentioning the place from whence it comes), which grounds its whole opposition to the bill now pending, upon an entire mistake as to the

purpose which is meant to be effected by it. These petitioners pray that this House "will not extend to the Roman Catholics those privileges and immunities which are withholden from other classes of dissenters." Now, if I were called upon to declare what my object is in supporting this bill, I would say, that it is, to place the Catholic dissenters precisely on the same footing as the other dissenters; and I contend, therefore, that, so far as that object is concerned, this petition, and the other petitions of which it is a specimen, do not militate against the bill before the House. Protestant dissenters *have* voices in the legislature. They have facilities of access to seats in this House, of which Roman Catholics are altogether deprived; and I know of no privileges not enjoyed by any description of dissenters which would be enjoyed by Roman Catholics, if this bill were to pass into a law.

It is a gross and palpable mistake, therefore, in these petitioners, to suppose that any privileges and immunities are intended to be communicated by this bill to the Roman Catholic dissenters, which are withholden from dissenters of other denominations. And the prayer of their petitions, therefore, being preferred in error, is to be met with explanation, not with compliance.

Sir, this bill does not tend, as is imagined by the petitioners, to equalize all religions in the state; but to equalize all the dissenting sects of

religion. I am, and this bill is, for a predominant established church; and I would not, even in appearance, meddle with the laws which secure that predominance to the Church of England—I would not sanction any measure which, even by inference, could be shown to be hostile to that establishment. But I am for the removal of practical grievance. And in this view of the subject, what is the fact with respect to the Protestant dissenters? It is this—that they labour under no practical grievance on account of their religious differences from us; that they sit with us in this House, and share our councils—that they are admissible to the offices of the state, and have, in fact, in very numerous instances, been admitted to them—but they hold these privileges subject to an annual renewal by the annual Act of Indemnity;—so with the Roman Catholics, if this bill should pass. They will be admitted only to the same privileges, and they will hold them liable to the same condition.

I hope, Sir, that I shall have satisfied the respectable class of petitioners to whom I refer, that their particular fears are unfounded. I must add, with reference to some of the petitions from dissenters, that I am astonished at the hostile language which those petitions speak, coming, as it does, from men who themselves differ so widely from the Established Church; and who, nevertheless, enjoy a community of civil and political

advantages with churchmen. This language, and the more than usually theological turn of the present debate, make it necessary for me to say a word or two, though very reluctantly, on that view of the question. It surprises me, I own, that the Church of England looks upon the doctrines of the Catholic dissenters as so much more adverse and dangerous to their own, than those of other classes of dissenters, to whom it appears to avow much less antipathy. What is it that prevents the Roman Catholics from taking their seats in this House? The oath against transubstantiation. God forbid that, within these walls, and before this assembly, I should irreverently presume to enter into any discussion upon the articles of the christian faith; but, when we select the belief in transubstantiation, as a ground for exclusion from Parliament, is it not extraordinary that the man who believes in consubstantiation should be invited to sit by our side in this House, and to enjoy all the privileges of the Constitution? I do not presume to define the nice distinctions by which the two doctrines are separated from each other; but is that difference of a nature to justify so wide a political distinction? The man who can distinguish so accurately between them as to pronounce the holders of the one doctrine to be loyal subjects, and the holders of the other to be of necessity traitors, may be envied for an understanding fitted rather

for subtle disputation than for the purposes of common life.

If it is said, however, that the doctrine of transubstantiation is selected as a test of political faith, not on account of any intrinsic vice in the doctrine, but because the holders of it were once Jacobites: I answer, that it is then, indeed, most monstrous to retain, as a substantive ground of exclusion, that which (by the very argument) was originally selected, not because it was a corruption of faith, but because it was a symbol of disloyalty, now that that disloyalty is confessedly and notoriously extinct.

But the Catholics hold the doctrine of exclusive salvation. Why, Sir, are not many other, I will not say almost all, churches exclusive upon some articles of faith. Has not the Church of England her Athanasian Creed—of which, without irreverence, I may say, that it is, at best, only a human exposition of the great mysteries of christianity. And yet it is expressly declared, in that creed, that they who believe not the truth of that human exposition, cannot be saved. With this fact before us, and with the still more striking fact, that we have constantly—that we have at this very moment, sitting among us in this House, men who do not hold this belief, and against whom, therefore, we pronounce the sentence that they are excluded from salvation, can we exclude Catholics from the enjoyment of their

civil rights, on the ground that they also preach the doctrine of exclusion?

The doctrine of absolution is the next ground on which the opponents of the bill rest. Sir, I am not about to defend that doctrine; but we must in fairness allow the Catholics to qualify it with their own explanation. We require the like privilege in our own case. It appears, from the evidence before the committee of the House of Lords, that the efficacy of the assumed power of absolution depends on the disposition of the party receiving it, and not on the abstract power of the person who gives it. It depends on the sincere repentance of the party who receives it, on his resolution to amend, and to repair, so far as he is able, the evils he has done. If this be so, is this opinion confined to the Roman Catholic? I will ask any man to read one sentence in our own Prayer Book, in the office for the Visitation of the Sick. I will not profane the words by quotation in debate; but I think any candid man who reads them will admit, that, taken nakedly, by themselves, they appear to mean much more than they really mean; and that they require to be qualified, as in fact they are qualified, in our Common-prayer, with explanation.

Do not let it be imputed to me, Sir, that I mean to say that there are no important distinctions between the Protestant and Catholic creeds; differences wide enough to make me rejoice that

we have separated from the Church of Rome; and have purified the doctrine and the discipline of our church from its glosses and corruptions. But the question that we are discussing is a practical political question. It is, whether the differences of faith, such as they are, justify us in denouncing the creed of the Roman Catholics as incompatible with the discharge of their duties as good subjects and useful members of the state? Sir, I do not mean to draw the comparison invidiously; but I own that if theological tenets are to have the weight which is assigned to them in the discussion of this question, I am surprised that some honourable members, while they turn up their eyes in astonishment at the thought of admitting to the privileges of the Constitution, those who, like the Catholics, differ from them in such points as I have described, yet do not scruple to sit and to vote, as they do daily,—as they will this night—with those who deny the Divinity of our Saviour.

The next objection which has been insisted upon—and it is one which I certainly did not expect to have heard—is, that the Roman Catholics ascribe an overweening merit and efficacy to human actions. Be it so. But we, who are considering these several tenets only as they affect the state, may, perhaps, be permitted to ask, are those who lay so much stress on works, likely to be worse or better subjects than those who be-

lieve that good works are of no value, but that faith alone is all in all? I presume not to decide which is the more orthodox opinion; but for a good subject of a state, whose safety I am to provide for, I, for my part, would unquestionably prefer the man who insists on the necessity of good works as part of his religious creed, to him who considers himself controlled in all his actions by a pre-ordained and inexorable necessity; and who, provided he believes implicitly, thinks himself irresponsible for his actions.

But, from theory let us come to facts. Refer to the history of this country, and see what it teaches on this subject. By what political differences has the country been most violently agitated; and out of what species of sectarianism has that agitation arisen? A papist, it is said, cannot bear due allegiance to a sovereign of this country. But, what was the religion which brought Protestant monarchy to the block? The papists?—Which were the sects that stripped Protestant episcopacy of its mitre and its peerage —of its spiritual authority and its temporal rank? —The papists?

The next argument is drawn from the acknowledgment, by the Roman Catholics, of the spiritual supremacy of the Pope.—It cannot be denied that such spiritual supremacy is acknowledged; and the question for Parliament is, whether that

doctrine is liable to be acted upon in such a way as to threaten danger to the state?

I do not, on this subject, rest alone on the evidence of Dr. Doyle taken before the committees: although (setting aside the obligation of an oath, which is assumed by those who oppose this question to be little obligatory upon Roman Catholics), I cannot think it probable that a gentleman of Dr. Doyle's character and station—knowing that every word which he uttered would be read by all of his creed, by his own flock, and by the Pope himself—nay, that many of his brethren in the ministry were, at that very moment, waiting in the next room ready to be examined themselves, and likely, if he stated what was not true, to be called in to contradict him;—I cannot, I say, think it probable that such a man, so circumstanced, could utter a deliberate falsehood, with detection and exposure staring him in the face. Without giving to Dr. Doyle, therefore, more credit than I would to any other moral, educated, and intelligent man, I am bound to conclude, upon every calculation of probability, that he spoke nothing before the committee, but what he conscientiously believed to be true. It may, then, be taken to be true, that the opinion stated by Dr. Doyle to be the opinion of the Roman Catholics, is their opinion; and Dr. Doyle solemnly denies, that the spiritual obedience which Roman

Catholics render to the Pope does or can interfere with their allegiance to their temporal sovereign. His own words are, after a distinct disavowal of the contrary influence,—"There was an objection taken, that the promise of obedience, though canonically made to the Pope, interfered with our allegiance to a lawful sovereign; and therefore there was a clause inserted in the oath which removed that objection."

But is this a new construction of Dr. Doyle's, and on that account to be received with jealousy and suspicion? Or, is it an opinion which has in all times been held by honest and intelligent Roman Catholics? Nothing contributes more to the establishment of truth, than an unexpected and fortuitous discovery of circumstances tending to confirm it. I happened, only a day or two ago, to fall upon an illustration of Dr. Doyle's argument on this subject, in the correspondence between Pope and Bishop Atterbury, which struck me as singularly apposite. Pope, as every one knows, was a Roman Catholic. His friend the Bishop of Rochester, with a very laudable zeal, was anxious to convert him to the Protestant faith; for which purpose he appears to have pointed out to the poet, the errors of his creed, and then urged the renunciation of them. Pope's reply to the Bishop's exhortation was as follows: "I hope all churches and all governments are so far of God as they are rightly understood and

rightly administered; and where they are or may be wrong, I leave it to God alone to mend or reform them; which, whenever he does, it must be by greater instruments than I am. I am not a papist, for I renounce the temporal invasions of the papal power, and detest their arrogated authority over princes and states; but I am a Catholic in the strictest sense of the word."

Here, then, I say, is a complete coincidence with what Dr. Doyle has declared before the committees; and I cannot help thinking this accidental testimony of a hundred years ago, written in the strictness of private correspondence, elicited by no controversy and never intended for publication, as one of the strongest and happiest confirmations that could be brought in aid of the professions of a Roman Catholic of the present day. It is true, that this distinction between spiritual and temporal allegiance has, in the course of these debates, been held up to ridicule as an absurdity: but an absurdity which governed the decision of Pope, and which satisfied the judgment of Atterbury, may be received by less-gifted men with something short of derision. It must be admitted, indeed, that one of these two illustrious correspondents intrigued against the Protestant succession. But, it happens whimsically enough—as if to confute the assumption, that Roman Catholic faith and disloyal propensities are inseparably allied—that the popish poet was

the loyal subject, and the Protestant bishop the jacobite traitor.

It is brought forward, as another objection to the concession of any political power to the Catholics, that they are—in Ireland especially—under the absolute guidance of their priests and of their political leaders—men whom they regard with a veneration bordering on idolatry. Sir, I admit the fact; but I lay the blame on another quarter. If the Roman Catholics are idolators in religion (as we swear at this table that they are), we cannot help it. But if they are (as is now alleged) idolators in politics, it is we who have to answer for their error. If we withdraw from them the more legitimate objects of political reverence; if we deny to them, as it were, the political sacraments of the constitution, what wonder that they make to themselves false gods of the champions of their cause—of their spiritual and political leaders? But, fortunately, the cure of this crime (if it be one) is in our hands. Let us open to them the sanctuary of the law—let us lift up the veil which shuts them out from the British Constitution, and show them the spirit of freedom which dwells within—the object of our own veneration. Let us call them to partake in the same rites, with which our purer worship is celebrated. Let us do this, and depend upon it, we shall speedily wean them from their present political idolatry; and leave deserted the spurious shrines at which

they now bow down before their Doyles and their O'Connells.

Sir, I am sure it cannot be necessary for me to say, that I am not, by taste nor in principle, addicted to political innovation; that I am not easily reconciled to any propositions which recommend it. But I am not, on the other hand, blind to the expediency which may sometimes prescribe it; still less, I hope, would I resist it merely because it is innovation, when founded in justice. In the measure now recommended to the House—I mean in the principle of that measure (this is not the stage for canvassing its details)—expediency and justice appear to me to conspire.

Opinion in favour of a settlement of this so long litigated question, gains ground. I do not say that it has yet overcome all prejudices, but it wins upon them every day. Is there no danger that if you do not anticipate change, change may over-master you? If a change must be made, it is surely better that it should be effected while it may be brought about temperately and amicably. Sir, it is absurd to deny, that in the case of the Roman Catholics of Ireland, especially, there is great grievance. Is it not *primâ facie*, a grievance, that people should suffer, in their civil and political capacities, on account of their religious persuasion? Is it not a grievance, that the choice of the Crown should be restricted in the selection of its servants, and in the distribution of its

favours? Is it not a grievance that a people should wear a badge, marking them out from the rest of their fellow subjects as objects of suspicion and distrust; a degrading, disheartening stigma, which necessarily damps their industry, blasts their hopes of honour, and subjects them to a perpetuity of exclusion from which other sects have been long relieved? No man, Sir, can deny that in all this there is great grievance. I do not say that it is an unjustifiable, an inexcusable state of things; but I say it is a *primâ facie* case of hardship, which requires to be justified and excused by those who approve and uphold it. The burthen of the proof lies with them.

It is said that the removal of these grievances, the nature of which is hardly denied, will be attended with danger to the constitution.

First, Sir, what is that danger? I ask this question, and I listen for the answer to it, on every stage of this bill; but, to this hour, I have not heard one specific and intelligible attempt to answer it. It is shown, indeed, and I dispute it not, that with a Roman Catholic Monarch on the throne, with a Roman Catholic Pretender contending for it, or with a Roman Catholic rebellion, either plotting, or in activity, there has been and would be danger in relaxing all the laws against Roman Catholics. But, that none of those contingencies exist now, is surely a proposition not admitting of denial. That the relaxation

of the laws would tend to create any of these dangers, is one which I must hear stated and argued (a task which no man has yet been hardy enough to undertake), before I am called upon to assent to it, or to act as if I believed it.

The honourable member for Derry (Mr. Dawson) has said that we are in a situation which leaves us only a choice of difficulties; and that no conclusion to which we can come will be satisfactory. I admit that our situation is one of great difficulty; but it is a consolation under our misfortune, and an alleviation of it, that our difficulties would be still greater if we had made them for ourselves. We have not created our difficulties; we inherited them; but it is our good fortune to have the means of curing them in our own hand. When gentlemen deduce an example for our conduct from that of our ancestors who framed the penal laws, at, or immediately after the Revolution, I beg them to look a little lower down in the page of history, to the conduct of our more immediate predecessors, who relaxed the rigour of the code which remoter generations had framed. With which of these two generations have we the nearer sympathy? Which of them was in a situation more nearly resembling our own? and wherefore are we, in our retrospect of history, to skip over the age which commenced a system of mildness, in order to get back to one in which severity was justified upon reasons which have long passed away?

For, Sir, though we have no responsibility for the enactment of the penal laws, let us not charge our ancestors with having passed them without excuse. At the time when the greater part of these laws were enacted, the country was convulsed with the disorders of a disputed succession; and the religion of the party hostile to the existing Government was looked upon as the mark of their politics. It was proscribed, not so much with the view of pulling down a particular form of worship, as of crushing the political party who professed it. The Catholics were attacked by those who had felt their power when they possessed the political ascendancy, or who dreaded it, if they should again become successful. It is, therefore, unjust to our ancestors to impute to hatred of their fellow subjects professing the Catholic religion, the precautionary severities which they exercised towards the Catholic Jacobites of their day.

But there is another claim which our ancestors have on our justice. They saw that reconcilement was impracticable;—that the enmity between them and the Jacobites must be permanent and lasting. They sought, therefore, to weaken and break down the power of those whom scruples of humanity alone prevented them from altogether exterminating. They chose, indeed, a mode of effecting this object in cruelty little short of extermination; but the mode which they adopted has

at least this praise, that it answered the purpose for which it was devised.

The rack, Sir, is a horrible engine, but it is a beautiful piece of mechanism; so, the penal code was dreadful, but it was admirably adapted to its use. It set children against their parents, wives against their husbands, brother against brother, servants against their masters, and the hand of every man against his kindred and his kind. It entered into and dissevered all the relations of domestic and social life. It, in the result, impoverished, degraded, brutified, and paralysed the whole Catholic population of Ireland; and plunged them into the most abject state of moral as well as political debasement. Such, and so effective for its purpose, was the penal code against the Catholics. But, just when this barbarous code had nearly exhausted its powers, when the last turn, as it were, might have been given to the machinery of the rack, the English Legislature grew ashamed of its own work, and shrunk back from the consummation which it had taken so much pains in preparing.

Sir, in the auspicious reign of George III., the first relaxation of the penal code took place. It would be folly to deny that, from that moment, the policy of this country was changed. What the Legislature did in 1778, was the first step in this merciful innovation; what has been done from time to time since that period, is in conse-

quence of that first step, and in pursuance of the benignant system then substituted for rigour and proscription. The task which we are now invited to perform is, to persist in the policy adopted in 1778, and to follow it to its legitimate conclusion.

I have often, I confess, turned away with disgust from the consideration of those cruel enactments, which were multiplied, year after year, with a perverse ingenuity, each successively appearing to be aimed at some privilege or comfort of social life, which had escaped the notice of former enactments, and to be pointed at some new and tender spot on which a more acute pain might be inflicted. I have, I say, contemplated with disgust those ingenious devices of moral and political torture, but I now look back upon them almost with pleasure—a pleasure caused not only by the hope that I am looking at them for the last time, and that justice, though tardy, is at length about to effect their entire and eternal removal, but because it is delightful to compare the slow and painful degrees by which so monstrous a system as the penal code was enacted; and to consider that one vote of benevolence—aye, and of a wise and prudent benevolence, may sweep all remains of it away.

" ———Who but felt of late,
With what compulsion and laborious flight
We sunk thus low? The ascent is easy, then."

Why am I compelled to add—

"Th' event is feared!"

What is there to make us fear it? I again press this question upon my opponents, and implore that they will condescend to answer it. What is there to deter us from this final effort of mercy? Is it the fear that after we have taken the Catholics into the constitution, they may turn their newly acquired political capacities against us? Is that probable? Is it practicable? How? Where? Why? And even supposing it possible to be made, could such an attempt be successful?

But, let us look at the other part of the difficulties which the honourable member for Derry represents as besetting us. Can we go back to the policy of King William and Queen Anne, and re-enact the penal code? Can we stand where we are? Is not the opinion which enabled us to make that stand failing us? Since the commencement of this debate we have witnessed a splendid illustration of the manner in which prejudices of long standing have yielded to the force of circumstances and the voice of reason. It was impossible to listen to the manly and candid avowal of the honourable member for Armagh (Mr. Brownlow) admitting the prejudices and apprehensions which birth, education, connection, habit, had created and confirmed in him, and unequivocally renouncing them all; it was impos-

sible, I say, to hear that ingenuous declaration, and to consider the space which that honourable gentleman fills in the eyes of his own country, without acknowledging that his speech was a fact of the most important nature, and that as great a change was wrought by it in the practical state of the question, as it evinced to have taken place in the feelings of his own mind.

The impressions produced by that speech, have been deepened and strengthened by the successive avowal of a similar kind from an honourable and gallant officer (Colonel Pakenham) whose plain, strait-forward narrative of the opinions and feelings in which he had been nurtured, and of the change which those opinions and feelings had undergone, composed one of the most powerful arguments that I ever heard delivered on this subject; and from another honourable gentleman, the member for the county of Down (Colonel Ford), whose brief but emphatic declaration of opinion was at once a proof and a model of honest and honourable conviction.

If these are indications of the state of opinion in Ireland, can any one have heard the speech of the honourable member for Dorsetshire (Mr. Portman), and of the noble lord behind me (Lord Valletort) without being satisfied, that the settlement of this great question is an object of intense anxiety to Englishmen—whose judgments are as

free from bias, as their motives are from the possibility of suspicion?

Such manifestations of Protestant feeling, I trust, will be met with corresponding feelings on the part of the Roman Catholics themselves. Our buisness, however, is not to negociate with the Catholics, but to legislate for them—to legislate, I hope, in accordance with the mitigated spirit of the times in which we live, and with the improved condition of the Catholic population of Ireland. How greatly has that population increased in wealth, in intelligence, in activity, in industry, as well as in numbers! With these advantages must have increased, in a corresponding degree, the desire of acquiring that political rank, which naturally belongs to wealth and station in society? In raising them from the state of degradation in which our ancestors had placed them, you have given them too much if you have not given it for a noble purpose, if you have only lifted them up to a nearer view of the blessings which you would yet persist in withholding from them. Far better, perhaps, would it have been to have allowed them to remain in the debased and degraded situation to which they were reduced, than to raise them partially, and then to interdict their further elevation,--to stimulate and excite every generous principle, and then to deny to those principles the opportunity of being called into action.

My right honourable friend the secretary for Ireland, is panic struck at the prospect of taking one step in advance. He foresees the overthrow of the Constitution from the admission of a few Catholic gentlemen into Parliament; but there must be, as it appears to me, a long chain of deduction between his premises and his inference, the links of which chain, I must confess, I have not the perspicacity to discern. What can that force be, of which my right honourable friend is so afraid? Is it physical force?—Why, physical force is more likely to be applied to a door that is shut, than against a door that is open. The mass which would be broken and dissipated by gradual admission, presses with accumulated strength against the bar of an inexorable exclusion. For it should always be remembered, that it is not political power which is proposed to be given by this bill, but eligibility, not fruition, but the capacity to enjoy. The Protestant Crown will still be master of its own choice; and the Protestant population of this country will have prejudices enough, honourable prejudices, to oppose to any symptom of abuse, to any, the most distant alarm of mischief, from an undue infusion of Catholics into office or into Parliament.

My right honourable friend says, the Roman Catholics will never be satisfied, that they will go on insisting upon more and more until his prophecy respecting the overthrow of the Con-

stitution is fulfilled. But can you suppose that the Roman Catholic gentlemen, or the Roman Catholic labourers, or the whole Roman Catholic population combined, in all their gradations, can ever hope to seize the powers of the state? Is this a probable, is it even a possible event? Suppose that, in the first session after this bill passes, five or six Catholic gentlemen are admitted into Parliament. The new comers would be, at first, I dare say, objects of curiosity, of distant observation, of cautious and circumspect avoidance. They would have some inquisitive glances to encounter; and some doubts would be excited, and, perhaps, some wagers laid, as to their capacity to use the organs of ratiocination like less superstitious men. We should naturally suspect crucifixes in their walking-sticks, and relics in their snuff-boxes. But all this strangeness would wear off. In the course of a session or two we should venture upon a nearer approach; first, in little knots of two or three, taking care always to preserve a majority, at last, perhaps, when we grew bolder, alone. Nay, the time would come, when we should actually manage to sit beside them, with as much ease as we now manage to sit beside Unitarians, of whom we think more favourably only because they believe less than we do, whereas the Roman Catholics believe more; as if, to use an expression of Mr. Burke's, "he is the best Protestant who protests against the

greatest number of doctrines." But, as to what is put forward as the greatest object of apprehension—the intemperance with which Roman Catholic members would advocate the Catholic claims—very sure I am that no Catholic gentleman will be found to say such things upon that subject as we heard a Protestant representative of a Catholic county say the other night,—threatening, and almost inviting resistance if this bill should not pass into law. A Roman Catholic would not be obliged to launch into such extravagance of argument, in order to satisfy his Roman Catholic constituents of his sincerity.

One of the objections to the bill is, as to time. But, let me ask, Sir, is there any man that hears me who conscientiously believes that in ten or twenty years from this time, the relief sought for by the Catholics will not be granted? And if there be not among the violent of the opponents of this measure one person who holds this belief, what is the real question for our consideration? Is it not simply whether the boon to be bestowed shall now be given, and we have the grace of giving it while it may yet be received as an act of grace? Unless it is believed that the present state of Ireland can continue, surely the time is come. Again and again I beg our opponents to descend from generalities to specification. What are the injuries that they foresee as likely to accrue to the Constitution, to that Constitution

which is held up to the Irish as something for which they are bound to shed their blood, but the beauties of which consist not in the liberties it imparts, not in the equality of rights which it bestows on all the people living under it, but in the scrupulous exclusion from its benefits of those Catholics, whom you call upon to venerate and uphold it. To reason in this manner with the Roman Catholic, is not to treat him as an intelligent being. Show him a good reason for his exclusion, and exclude him, and tell him so, for ever. But, if that exclusion was originally enacted on temporary grounds, if those grounds have ceased to exist, it cannot, it is not in the nature of things, that it should continue for ever. And if it is not to continue for ever, the time for removing it is now come. In proportion as the prosperity of the country is great, in proportion as the country is rich and powerful, in proportion as it is free from external danger, as it is spreading and widening the basis of its strength, and unfolding its immense capabilities of improvement, just in that proportion are we in a condition to give the boon asked by the Catholics, without being liable to the misconstruction of its having been forced from us by necessity, or extorted by intimidation.

I hope, Sir, that I should feel the disgrace of yielding to menace: and I think, moreover, that I have proved to my right honourable friend, during the present session, that I am prepared to

vindicate the honour of this House, and to uphold the supremacy of the law under whatever pretext, or with whatever object the violation of it may be attempted. I could understand the feelings of those who refused to go into this question at times when to grant it might be imputed to the difficulties of the country, or the consequent weakness and apprehensions of Parliament. But, Sir, a time is now come, suitable beyond our hopes and our expectations. Who can look on the high and palmy prosperity of the country, and not wish to mark this auspicious state of things by a signal act of beneficence to a portion of our fellow-subjects, who have toiled at our side in the day of our distresses and difficulties;—transmitting the record of this act to our posterity as a testimony of our just and grateful sense of the favours which Providence is now heaping upon our heads, and thus consecrating the present æra for all time to come in the annals of British Legislation? Let us do this—and come a change of fortune when it will, we may meet it with regret, indeed, but without repentance. We shall have made this glorious moment irrevocably our own.

———"Non tamen irritum
Effingit infectum que reddet
Quod fugiens semel hora vexit."

Although this, Sir, is not the time for entering into a discussion on the particular provisions of the bill, I will, nevertheless, avail myself of the

opportunity to offer one or two remarks upon them: the rather, as I fear I may not have another opportunity of addressing the House during the progress of the bill.*

My right honourable friend, the Secretary for Ireland, has divided the bill into three distinct parts—the preamble—the oath,—and the commission for the security of the Protestant Church.—As to the preamble, which consists of a declaration of the stability of the Protestant established Church and Constitution, my right honourable friend states, that it is nothing but words. Why, Sir, so are all laws nothing but words. But, what are the oaths on which you now rely for safety—what are your abjurations and declarations at this table, but words? Harsh and ill-sounding words many of them, and angry words, to be sure! but, why cling so fondly to negative legislation, to phrases of contempt and expressions of abhorrence—and reject, as idle and inoperative, vows of attachment and professions of allegiance? Why think that a legislature is to be prone to denounce what it hates, and never ready to commend what it approves?

Again, it has been objected to the oath in the bill, that it is too long, that it is more like a bill of indictment, in which every possible crime is

* Mr. Canning was labouring, at this moment, under a severe attack of the gout, which afterwards confined him to his chamber for some weeks.

enumerated, than a protestation against imputed doctrines. Sir, I entirely agree with my right honourable friend, that it is so. But, my right honourable friend forgets that the bill has to pass another House, in which there exists a very nice sensibility on all these matters. In the last bill which was sent up from this House, that oath had been curtailed: but then it was made an objection to the measure, by the lovers of ample adjurations, that the good old oath was not at all too long, but that the new one was too short by the head and tail. Its shortness begot many surmises of evil intentions. In drawing up the present bill, therefore, the old long oath, with all its sinuosities and superfluities, had been restored (for my right honourable friend must know that it is only restored, not now for the first time established). But, no sooner is this done, than my right honourable friend turns himself rapidly round again, and now finds the present oath too long, forgetting that it has been let out at the special suggestion of those with whom he acts on this question in the other House of Parliament.

The oath, such as it is, was framed in 1793. It is, therefore, unfair in my right honourable friend to come forward with these objections at the eleventh hour; and to attack the supporters of this measure for that which is no invention of theirs—which they would have omitted, if it had been left to their own discretion.

Next, Sir, as to the commission for superintending the correspondence with the See of Rome. My right honourable friend has argued the matter as if the framers of the bill were first *instituting* that correspondence with the See of Rome, and then endeavouring to guard against the danger which they themselves created. But, Sir, the very reverse of this is the fact. The correspondence exists; it is notoriously going on every day, and we are only endeavouring to regulate and restrain it. The question is not so much whether this security is sufficient, as whether you will have any security, or none: at present you have none.

I repeat, Sir, that every day a correspondence is openly and notoriously carried on between the Roman Catholic bishops in Ireland—aye, and the Roman Catholic bishops, or vicars apostolic, in England too—and the Court of Rome. Every thing that relates to the affairs of the priesthood, and much that relates to the most important concerns of private life, to marriages and baptisms, forms the subject of regular communication with the See of Rome. All this my right honourable friend appears to view with the utmost complacency. He has no thought of checking it, so far as I can make out from his speech: and yet all this is in contravention of the existing laws.

It is true, that the penalties imposed by those laws are so enormous, that neither my right

honourable friend, nor any man of common humanity would wish to see them enforced. Therefore it is, that the framers of this bill endeavoured to cure the evils of this system by a precautionary supervision. It was no peculiar duty of theirs to do this. The evil does not grow out of any thing that they propose. They find it existing in full force: but so finding it, and finding that no one of the anti-papists has any thought of mending the matter, they gallantly and generously, and as a work of supererogation attempt to deal with it. And what is their reward? Why, that they are not only reviled for the ineffectualness of their remedy, but are held responsible for the existence of the evil.

Sir, for my part, I say, if the opponents of this measure believe the correspondence with the Court of Rome to be so full of danger, I call upon *them* to propose a remedy for that evil which is now in full existence—a remedy which they can venture to carry into execution. The present laws are so severe that they cannot be executed. I call upon the opponents of the bill, therefore, to say how they propose to deal with the evil which the throwing out of this bill will only tend to confirm. Than the state of the law, as it now stands, nothing can be more monstrous. I had recently occasion to know this. Soon after I entered upon my present office, as Secretary of State for Foreign Affairs, a letter was addressed to His Majesty by

the Pope. It was, of course, transmitted to my office; but I could not venture to advise the King to open, much less to answer it, until I had consulted high law authorities as to the legality of such a proceeding. I accordingly did consult them, and I found, as I had previously expected, that, by tendering such advice to His Majesty, I should render myself liable to the penalties of *præmunire:* accordingly the Pope's letter remains unanswered to this day. Such is the operation of the present system. Can any thing be more stupid? But, thus it is to remain; because the opponents of this question prefer those laws with the known, constant, daily, unchecked evasion of them, by persons less scrupulous than I was, to some regulation of the correspondence with the Court of Rome.

So much for the main objections to the frame of the bill upon your table.

And now, Sir, a few words with respect to the other measures which, it is said, are to be associated with it. I begin by saying, that I am perfectly contented to take the present bill as it stands, without the proposed auxiliary measures. I must, in fairness, declare, that upon those measures I have by no means made up my mind. With regard to one of them, I have much to learn before I can make up my mind to support it. I cannot look at it abstractedly with favour. But if by raising the elective franchise in Ireland, to a higher qualification than that which the present

law requires, I could not only get rid of the opposition of those who have long been the avowed and most efficient enemies of the simple measure of Catholic relief, but convert them into active and zealous friends, I own the temptation might perhaps overcome my scruples—and induce me, though I fear with a somewhat questionable morality, to consent to support this doubtful change, and, in order "to do a great right," be ready to do "a little wrong." On general principles, I should undoubtedly oppose disqualification. The very word is odious. I expressly limit my willingness to take this proposition into consideration, with the declaration, that I do so under the persuasion, that a freehold qualification of forty shillings, in Ireland, is a very different thing from a freehold qualification of the same nominal value in England; and, that, in striking at this symbol of free election in Ireland, I am not, in fact, violating the essence of freedom. This is what I expect to have shown to me by persons well informed upon the subject.

With respect to the principle of the second proposed measure, that of making some provision for the Roman Catholic clergy of Ireland, it is one which was in contemplation long ago—in the time of Mr. Pitt—and for the execution of which, I believe some practical steps were taken during Lord Cornwallis's administration in Ireland. The principle of this measure (for of the details I have

no knowledge) has therefore authority which I highly respect, in its favour; and nothing which I have heard in the course of this debate, has altered that favourable impression. The objection that the Protestant part of the community would thus be taxed, in order to raise the funds out of which the Roman Catholic clergy are to be paid, may be met by asking whether the Catholics do not contribute to the taxes out of which the *Regium Donum* to a portion of the dissenting Protestant Church in Ireland is yearly paid? Observe, I am not saying that the payment of tithes by Roman Catholics to the Protestant established Church, forms any precedent for this argument: no such thing. That payment is necessarily incident to the fact—that the Protestant Church *is* the legal establishment. To every thing which can ameliorate the system of collecting tithes—to every thing which can tend to shift the burthen of it from those who could not, to those who could bear it, I am willing to give (and this and the other House of Parliament have given) the most anxious and favourable consideration. Any measure which should go to invade the establishment of the Irish Protestant Church, and to alienate the property assigned for its support, I am firmly prepared to resist.

But the *Regium Donum* to the Presbyterian church appears to be in point of principle, the very measure of which it is now proposed to extend to

the Catholic, and seems to afford a precedent on which it might safely be modelled, when the time shall come for settling the details of such an arrangement.

Sir, I have thought it fair to state the present impression on my mind, with regard to the forty-shilling freeholders, and to the provision for the Catholic clergy (subject as that impression is, to be modified hereafter, by more perfect information than I now possess), because many gentlemen have stated the carrying of those measures to be a condition of their support to the bill now on the table. For the sake of their support, I shall be anxious to vote, if I can, in favour of those measures; but in case they should not be carried, or in case I should myself, on further explanation and discussion, see reason to disapprove of them, I will not, therefore, withdraw my support from the present bill.

Those measures may be auxiliary to the bill for the relief of the Roman Catholics from civil and political disabilities; but I do not intend to wed myself to them or to either of them. I am wedded only to the great question itself—that question which involves the future tranquillity of Ireland, and therein the general welfare of the British Government and nation.

Sir, this declaration recalls to my mind the only other point on which I wish to say a few words, and with which I shall conclude. In proportion

as we become great and powerful—as our resources continue to out-grow the resources of other nations; it is in human nature that something of an invidious feeling towards us, should grow up in the world. It is a fact which implies no sentiment of enmity, no hostile spirit towards us. It is, as I have said, in the nature of men, that rivalry should generate, not hatred—but perhaps envy—and a desire to seek for consolation in some weaker point of the character of a too successful competitor. Never was there a moment at which the continuance of peace throughout the world was more probable. But even in peace, the wary politician will calculate the means, and forecast the chances of war.

I say, then, that whatever rival nation looks jealously into the state of England to find a compensation for all her advantages, and a symptom of weakness amidst all her power, will fix—does fix—as if by instinct, its eyes on the state in which we keep the Catholic population of Ireland. "There," they say, "is the weakness, there is the vulnerable point of England." How sad that they should say this with so great a semblance of truth!

Shall we then continue still to cherish a wound that is seated near the vital parts of our greatness? shall we not rather disappoint those who wish us ill (if such there be) and give comfort and confidence to those who wish us well, by closing

the wound which has so long remained open and rankling, and by taking care that before we are ever again called upon to display the national resources, or to vindicate the national honour, it shall be so far healed, as that not even a cicatrice is left behind.

Such a state of things, Sir, is, in my conscience, I believe, as practicable as it is desirable. My earnest prayer is, that the House may adopt such measures as will tend to accelerate so blessed a consummation. And, as it is my hope, that the bill now before us, if it should pass, will tend to that result, I give my cordial support to the motion that it be now read a second time.

The question being put, "That the word 'now' stand part of the question,"

The House divided:—

Ayes	268
Noes	241
Majority for the second reading	27

The bill was accordingly read a second time.

RELIGIOUS ANIMOSITIES IN IRELAND.

MAY 26th, 1825.

Mr. S. Rice submitted the following motion, "That an humble Address be presented to His Majesty, that he will be graciously pleased to give directions that there be laid before this House, copies or extracts of any letters or despatches which have been received from the Lord Lieutenant of Ireland, respecting the origin, nature, and effects of religious animosities in that country, and the best means of allaying those animosities, with a view to the tranquillization and good government of Ireland, and the strength and security of the empire."

Mr. Secretary Canning* rose, evidently labouring under severe indisposition, and spoke for some time in a tone so low as to be scarcely audible. He began by expressing a hope, that a very little persuasion was necessary to induce the honourable member for Limerick not to press the motion which he had introduced to the House. There were, however, he said, some topics which had been alluded to in the course of the debate, with regard to the subject in which that motion had originated, which the House would, perhaps, excuse him, if he briefly referred to, in his turn.

Two views of the question had been taken by the honourable and learned member for Winchelsea, in neither of which could he at all agree. No man, he would venture to say, could attach more importance to the claims of the Roman Catholic population of Ireland than himself; but,

at the same time, he could not admit to the honourable and learned gentleman, that the Roman Catholic Question was every thing—that it was the only question interesting to the country; at least, that it was of such a nature as to overwhelm and absorb all other questions. Secondly, with regard to the reference that had been made by the honourable and learned gentleman, to the divided opinions of the members of the Government, upon this question:—he (Mr. Canning) had never meant to say, that if a new Government were about to be formed, it would not be desirable to have a uniformity of opinion in the Cabinet on that, as on every other important question. But there was a very wide difference—and such a difference as no wise—he would even say no good—man, could fail to perceive, between the question of forming a new Government upon a principle of unanimity, and of breaking up an existing one, because it happened to be divided upon one great subject.

He was perfectly ready to concur with his right honourable friend, the Chancellor of the Exchequer, when he said, that if he could be persuaded that the sacrifice of his office would insure the settlement of the question of the claims of the Roman Catholics, he was willing and ready to resign. He (Mr. Canning) also, on his part, would say, with the most perfect sincerity of heart, that if he could believe, that his relinquishment of office would conduce to the settlement of the Catholic Question, he would not hesitate a moment to make the sacrifice. Not that, when he made this declaration, he did not see—without meaning to overrate any public advantage contingent upon his continuance in office—that his withdrawing himself from the Government would be attended with some public disadvantage; but, if such a step, on his part, would decide the settlement of the Catholic claims, and thus set at rest a question so perplex-

ing to Parliament and to the country—the good to be thereby obtained would more than counterbalance the disadvantage. His opinion, however—and he would frankly state it—formed upon recent and most anxious deliberation, was, that, so far from conducing to the success of the measure, his relinquishment of office, at the present moment, would only tend to throw the prospect of the success of the object, which it was intended to serve, to a greater distance than ever; at the same time bringing upon the country other evils of a most tremendous character. The opinion which he entertained was—as he had already said—formed upon recent and most anxious deliberation; in short, it was an opinion on which, acting conscientiously, he felt that he should be acting for the best.

The honourable and learned member for Winchelsea had observed, that he could not fully understand the reasons which had been urged by his right honourable friend, the Chancellor of the Exchequer; neither, perhaps, could he (Mr. Canning) himself expect, standing where he did, that he should be able to make himself quite intelligible to the honourable and learned gentleman. It was quite obvious, that the materials of the opinion which he was stating, were of too delicate a nature to be produced and handled in debate. But he spoke in the presence of persons who perfectly understood him (though the honourable and learned gentleman was not one of that number), and before whom, therefore, it was not likely that he should speak at random; and, under those circumstances, and with this effectual, though silent, proof of the sincerity of what he was saying, he did not hesitate positively to affirm, that the course recommended by the honourable and learned member for Winchelsea would be fraught with calamity to the country.

This only he would add—that he (Mr. Canning) held

himself now, and for all time to come, as perfectly at liberty to propound for discussion in the Cabinet, the Roman Catholic Question, as any other question of national interest. But, he must, at the same time, reserve to himself the discretion of using that liberty, at such time only, and in such manner, as he might in his judgment and conscience think most expedient.

With respect to the Catholic Question itself, in its present extraordinary position, he felt something like a difficulty in stating his opinion, because, whatever he might say, he was liable to one of two accusations. If he avowed, that he thought the question was not so forward in the minds of the people of this country as he could wish it to be, then he was liable to be charged with wishing—no! he would not say with wishing—but of risking the creation of the very evil which he deprecated. If, on the other hand, he stated confidently, that he thought it had made great progress, then he should be blamed for raising hopes which would not afterwards be realized.

Between these conflicting difficulties, he knew but of one course to follow—and that was, to speak the direct truth, according to the best of his judgment, let the consequences be what they may.

At the commencement of the present session of Parliament, he had ventured to state it to be his belief, that the mind of the people of England was not sufficiently matured for the reception of the measure; for which expression he had been accused of throwing cold water on the measure, and of a wish to retard the progress of the bill. Different minds, no doubt, were in the habit of drawing different conclusions; but, from all that had happened during the present session, the conviction of his mind remained unchanged. At the same time, however, when he said this, he did believe, that, amongst the higher and more en-

lightened classes of society, progress had been made towards a more liberal view of the question; and that the resistance that was made to it generally, was, perhaps, rather of a passive than of an active nature. He thought further, that where the feeling of the country had been goaded into a more determined resistance, they had to thank the meddling interference of some of the intemperate or ill-judging friends of the measure.

But, whatever might be the fact as to England, the difference which manifested itself in Ireland was most striking. That measure, which had appeared originally almost in the shape of an appeal by one part of the population against another part, came now forward almost without dissent from any, and bid fair shortly to be recommended by all.

Such, then, being his view of the state of the question, he did think the probability was, that it would ultimately make its way. If anything could retard its progress, it would be an expression of violence, or any interruption of tranquillity, on the part of the Irish Catholics; and, still more, any thing so violent and absurd as to change the question from one between Catholic and Protestant into one between the two countries—one which should array England, in its present temper, against Ireland.

He (Mr. Canning) had always urged the settlement of the Catholic Question as a measure which was to serve the interests, and knit together the affections of the two countries, and to place the safety and prosperity of the empire on a solid foundation. But, it was impossible not to see, that in its direct and immediate consequences, the question touched England but partially and superficially, while, to Ireland, it was a vital question. One great fault of the argument of the opponents of the Catholic Question was, that they inverted this obvious distinction. They treated

the question as something superfluous and incidental, as relating to Ireland, while they argued its probable effects upon England with the most extravagant exaggeration. The truth was, that if England alone were to be considered, the decision either way was of comparatively small importance; while, to Ireland, it was the alternative of joy or wretchedness, of peace or discord—in short, it was every thing—it was all in all.

Although he was not at liberty to notice the discussions which had taken place in another House, yet he might allude to them through the impression which they had made on the public mind; and he had no hesitation in saying, that the ground on which the Catholic Relief Bill had been resisted was, in his opinion, quite untenable. The argument, as it was applied to the late measure, if it proved any thing, proved too much. If it were true that the Catholic could not be a good subject of a Protestant prince, on the ground of divided allegiance, he could not be a good subject at all. Besides, he did not understand this argument of divided allegiance, this measuring a man's allegiance by a scale, as it were, of moral geometry. If we had but half the allegiance of the Roman Catholics, why was it that we had only half? Why had we not the whole Irishman in one allegiance? Homer, who was a better judge of human nature than Euclid, had answered the question. "A man," he said, "is but half a man who has not the rights of a freeman."

In thus glancing at what had passed in another place, he was desirous of saying a few words in vindication of a noble friend of his (the Earl of Liverpool), from the charges which had been brought against him by the honourable and learned member for Winchelsea. He was anxious to do this, not from any particular knowledge of the fact, but

from a general knowledge of the character of his noble friend, which enabled him to reject the insinuation which had been made by the honourable and learned member as impossible. The honourable and learned member seemed to think—and the insinuation had given him (Mr. Canning) much pain—that the speech of his noble friend to which he had alluded, had been framed upon another speech, which the honourable and learned member had qualified with no very courteous terms, but to which he (Mr. Canning) would not even allude. His noble friend—he would tell the honourable and learned member and the House—was incapable of the conduct that had been thus imputed to him. If there lived a man in England who disdained to shape his opinion to the smile or the frown of any human creature, that man was his noble friend. Whatever his noble friend had spoken was, let the House be assured, his noble friend's sincere opinion—an opinion from which he (Mr. Canning) differed, but to the sincerity and disinterestedness of which he paid the most implicit homage. Indeed, if the honourable and learned member for Winchelsea had only looked to the whole context of his noble friend's speech, he would have seen the most marked, the most glaring discrepancy between it and the other speech to which he had endeavoured to assimilate it. Who, among all the persons who had spoken on the subject, who had disposed so summarily, so conclusively, so satisfactorily of the idle objection, that the Coronation Oath was an impediment to the removal of civil disabilities, as the very person whom the honourable and learned gentleman had represented as having framed his speech wholly in conformity to that doctrine? When the honourable and learned gentleman considered with how much more weight his noble friend's denial of this doctrine of the Coronation Oath came

from his noble friend, than it could possibly have come from any individual entertaining a favourable view of the Catholic Question, surely he ought not to have condemned so unequivocally a speech, which, in this respect at least, had done a signal service.

He would not trespass further on the patience of the House. He had risen with no purpose of arguing over again the general question. He would add no more, except his earnest recommendation to the honourable member for Limerick, not to press his motion to a division. The relative numbers on such a division would but tend to give the Catholics of Ireland a fallacious impression of the opinion of the House. It could not be supposed that, either personally or officially, he (Mr. Canning) undervalued the opinions of Lord Wellesley. As the personal friend of Lord Wellesley, he was perfectly satisfied that his opinions had been fairly and duly considered by the Government; and, as a member of that Government, he would say, that if the honourable member entertained suspicions of another kind, he could assure him that the production of the despatches for which he had called, would utterly falsify his conclusions. Under these circumstances, he trusted that the honourable gentleman would not press his motion to a division.

The Motion was withdrawn.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.

FEBRUARY 2d, 1826.

Mr. J. Stuart Wortley moved the Address, which was seconded by Mr. Green.—Agreeably to long established usage, it was an echo of the King's speech. A protracted discussion took place on the various topics relating to the embarrassment which had occurred in the commercial transactions of the country since the close of the last session of Parliament. The recognition of South America—the successful mediation of England in the conclusion of a treaty between the crowns of Portugal and the Brazils—and the state of Ireland, were also touched upon in the course of this discussion.

Mr. Secretary Canning* said, that although he had not expected that any difference of opinion would have been excited by the speech of his right honourable friend, (the Chancellor of the Exchequer) still, as some strange misconception had arisen upon several of the topics contained in it, he was anxious to state to the House the manner in which he had himself understood them. The House had been addressed by two honourable members from different sides of the House, who had both evidently misconceived the meaning of his right honourable friend. The misconception of one of the honourable gentlemen (Mr. Hume) was perhaps natural, and at any rate might be accounted for; but, how the misconception of the other (Mr. Pearse) had arisen, it was impossible

for him to imagine. The honourable gentleman opposite seemed to apprehend that his right honourable friend had a plan for erecting joint-stock banking companies or corporations, which would swallow up all the existing establishments. Now, the plan of his right honourable friend went no further than to take off, with the consent of the Bank of England, a few years sooner than it would otherwise expire, a prohibition, of which the effect, by the concurrent opinion of all who had spoken upon the subject, was to make weakness, instead of strength, an inherent quality in the system of country banking. It required not the agency of his right honourable friend, that the evil which the honourable gentleman apprehended should take place in the year 1833; that there should then be no longer any privilege in the Bank of England to prevent more than six persons from becoming partners in the same banking concern; that that privilege should then cease with the existence of the bank charter; and that such corporations and joint-stock companies as the honourable gentleman appeared so much to dread, should then rise up in all parts of the country. But, under what circumstances, he would ask the honourable gentleman, would that evil occur, supposing the present law to remain unaltered? On the one hand, the privilege of the Bank of England, which prevented the spreading of a wider basis for the transactions of country banks, would continue to exist till the year 1833; and on the other, there was, by law, in the country banks an unlimited power to issue small notes up to precisely the same period. Now, if the undoing of the privilege of the Bank of England was so fraught with mischief as the honourable gentleman seemed to think, how would that mischief be aggravated, if it were to operate upon an unlimited and unrestricted issue of country bank notes? His right honourable friend had two objects in view in the measure which he proposed. The

first was, to accelerate the period at which the prohibition was to be removed, which, as he had before said, entailed weakness upon the country banks; and the second was, by limiting the issues of those banks, to make the new power given to them operate with less suddenness upon the existing establishments. Whether the consequence of withdrawing the privilege of the Bank of England would be that new banks would be created all over the country, or that the ancient and long established ones would widen their foundations by coalescing with new partners, he could not pretend to decide positively at present. The honourable gentleman seemed to assume that the latter consequence would take place, but, as appeared to him, without sufficient reason. He could see no reason why, when the power of widening the basis of country banks was given, it should not operate to add a seventh, or an eighth, or even a tenth partner to the existing establishments, rather than to create new establishments all over the country, to rival and extinguish the old ones. Surely, every establishment would have the power, either by an accession of strength, or a consolidation of interests, to guard against the evil which the honourable gentleman appeared to apprehend.

With respect to the idea of his right honourable friend pressing his measure unawares upon the country, he must say that nothing had fallen from him which indicated any such intention; and, if his right honourable friend had not dwelt more at large upon the details of his measure, it was, that it had been so often before Parliament, or at least so long before the public, that it was only necessary to refer to it, to bring it to the minds of gentlemen who were at all acquainted with the subject. There was another point which the honourable gentleman appeared to have overlooked in his view of the question. If it were an evil, it was one that the Bank could create at present on any day in the week; for it could create branch

banks in all parts of the country; and if there was a necessity for a more solid system of banking, the alternative was, either that the Bank of England should establish branch banks throughout the country, or that power should be given to other parties to establish banks for themselves. Now, if the establishment of either were likely to be ruinous to the existing establishments, which he denied, that ruin was equally inevitable, whichever side of the alternative was taken, whether the Bank of England was the agent for such branch establishments, or whether advantage was taken of the Bank of England withdrawing its privileges for the purpose of allowing others to establish banks, taking and absorbing the old banks, or coming into collision with them, if so it turned out; which he for one considered very unlikely. The country was in this situation, that one of these measures it must embrace—either it must permit the Bank of England to exercise its privilege of establishing branch banks all over the country—which would be equally fatal, if the competition of confidence and capital can be fatal, to the old establishments, with the creation of new banking corporations,—or, it must adopt the plan of his right honourable friend for taking advantage of the Bank of England's surrender of its privilege to establish new banks on a wider basis, not so formidable as rivals to the Bank of England, nor possessing that quality of repulsion to existing establishments which it did; or, thirdly, the country must remain in its present situation, with a clear view of all the mischief resulting from its present insecure and insufficient system of banking. Between these three alternatives, if he might be permitted to use such a solecism, the House and the country had now to choose. As to the last of them, he believed that there would be no difference of opinion. The House seemed inclined to agree, that it was not that measure to which it would resort. As to the other two, it was

clear that the latter—he meant that of incorporating more than six partners into each establishment—would, even on the principle avowed by the honourable gentleman himself, be more effectual for the purpose which it was intended to answer, would be established with the least shock, and would be best calculated to save the interest of existing establishments. It was impossible to discuss this subject without feeling it to be due to the Bank of England to say, in addition to the praises which had been bestowed on it with no niggard hand for its conduct in the administration of its affairs, that nothing became it more than the grace with which it had consented to strip itself of this part of its privileges. It was idle to say that the privilege was odious; it was idle to say that it was a monopoly: it might be both odious and a monopoly; still it was an inherent privilege of the establishment. By law they had it; and from the possession of it not even the boasted omnipotence of Parliament could disturb them. It was an unfair view of human nature, and of the principle of possession, to treat such a sacrifice with levity. Such a rare occurrence as the voluntary abandonment of a possession, which was not merely a grace or ornament, but was valuable as a source of profit, deserved the highest panegyric. The Bank of England might have kept it, because they had it—because the law had given it to them—because no man could extort it from them. The Bank of England might have kept it, in order to make a bargain with the public for some other consideration. The Bank of England might have kept it, in order to prevent the rivalry of the country banks, which they might apprehend in those parts of England of which they had hitherto had the exclusive possession. They might have kept it without assigning any cause for so doing, except their own will; but they had yielded it up to the public for reasons which did them immortal honour. If

they had yielded it unwillingly, their conduct was the more laudable; if willingly, still credit was their due, because they had studied the public interest first, and had seen that their own individual profit was ultimately involved in it. They had consented, for reasons with which the House had nothing to do, to a measure to which they had formerly refused their consent, unblameably he had no doubt. They had now done that which they had long been solicited to do; and having done it, his right honourable friend meant to draw from it an advantage, not unkindly, not ungenerously, not in a spirit of triumph over the Bank, as had been that evening suggested. He could assure the House that no such feeling existed in the breast of his right honourable friend, but that his right honourable friend was ready, upon all occasions, to render justice to the Bank, for the manner in which it had conducted this discussion, and also for the conclusion to which it had consented to bring it. An honourable gentleman who had spoken early in the debate, had made, among a variety of remarks, which he did not intend to notice at present, one which he could not allow to remain unnoticed. The honourable gentleman seemed to think, that Ministers were extremely culpable for not discouraging the wild spirit of speculation which had contributed so much to the present distress, and that they were wanting in their duty, because, when the various schemes of last year were discussed, they did not attend i their places to give a detailed opposition to every one of them. Now, it appeared to him to be a convenient and seemly rule, that those whose duty it was to attend to the public business of the country, should abstain from taking an active part in the consideration of any measure which merely affected individual interests. He would say for himself, that he had always endeavoured to act by that rule—that he had never given a vote on any private business since

he had become a Minister—and that he believed the same rule to have been followed by all his colleagues. It appeared to him, he repeated, that such was the safe and seemly rule of conduct; because, if he could reconcile it to his sense of duty to break through it in one instance, he might be induced to break through it in more; and a practice might thus grow up, from which many suspicions might arise, unjust and unfounded, as they would be at present, but still impossible to be entirely avoided. But, he would ask, had there been no warning given to the country on the part of Ministers? Had there been no occasion, during the fever which existed last year in the public mind, in which the King's Government had declared that they would not advance a farthing to the aid of any difficulties which might ensue from excessive speculation? He might now, as a matter of history, allude to what had occurred on a former occasion in another place. One of His Majesty's Ministers—he meant his noble friend at the head of the Treasury—speaking as the organ of that department of the state, and also in his capacity as a member of the Government, had taken an opportunity in March last, not many weeks after the commencement of the session, and before one single bill had passed, to hold out to all who were engaged in those speculations, that they were running wildly into them; that it was the essence of a free government not to interpose any legislative let or hindrance to the current of individual enterprise and industry; that those who entered wildly into extravagant speculations, did so upon their own risk and responsibility; and that it was the fixed resolution of His Majesty's Government not to extend any pecuniary assistance to the difficulties which were likely to arise out of them. As far as the voice of Government could be heard, it was heard through the country clearly and intelligibly, because the declaration did not grow out of any measure in

which the Government took a part, but was fastened accidentally on a measure with which it had nothing to do, and was not, therefore, made to be treasured up for such a crisis as had now occurred, but to prevent its occurrence. Unfortunately, that warning had been disregarded: the difficulties which had been anticipated had subsequently arisen; and it was a little too hard that the Government should now be taunted for a want of caution, on that very topic on which it had spoken so very explicitly. His Majesty's Ministers were aware that the present topic was that to which the minds of men were most intensely directed, and to which the consideration of Parliament must naturally and inevitably be called, immediately after its assembling. There was no want of attention to that topic in the speech which they had that night heard from the throne. If the House measured it by its proportion to the whole speech, honourable members would find that it occupied the greater part of it, and that it threw every other topic into the shade. It was felt by every member of the Cabinet, that every person in the country was anxious to know how this great subject would be treated: and they had determined that the most manly mode of treating it would be, to treat it as the most urgent and important subject which Parliament could have under its consideration. He trusted it would be thought that he had now gone far enough in his observations upon this subject; because, if he went further, he must be carried into a wide field of observation, into which he had neither the inclination nor the power to enter at that moment. An honourable gentleman opposite, who had addressed them on the third bench, had left untouched no topic which had been agitated, either during the last war or the present peace. [Mr. Hume observed, that he had not mentioned the last war.] If the honourable member had omitted to rip up the measures of the last war, he congratulated him upon it,

as he would have the opportunity of coming back upon it on the first set speech he might make. But, as the honourable member would have a future opportunity, which he had no doubt he would embrace, of bringing all the subjects which he had that night mentioned, regularly under their notice, he hoped he would not think him (Mr. Canning) disrespectful, if he passed by them at present without remark. The honourable member had told them, that the speech of last year was contrary to the truth, and that the speech of this year was inconsistent with fact. What nice metaphysical distinction there might be between "contrary to truth," and "inconsistent with fact," he for one could not see. Perhaps the honourable member, as lord rector of a learned Scotch University, was gifted with acuter perception, and could enlighten the House upon this distinction without a difference. There were, however, some propositions in the speech of the honourable member, upon which he should venture to retort the honourable member's own expressions. The honourable member said, that there had been no reduction of taxation since the war. This assertion he would venture to say was "contrary to the truth," as all the world, with the exception of the honourable gentleman, knew that there had been a reduction of taxes to the amount of twenty-seven millions. The honourable member then proceeded to say, that although no reduction of taxation had taken place during the ten years since the war, the reductions during the last five years had been fewer than before: that was, in plain English, that they had been fewer than none. This assertion, therefore, he would venture to call "inconsistent with fact." He took these assertions as fair specimens of the other topics in the honourable member's speech; topics, which he supposed were only mentioned by the honourable member, as preludes to future debates, on which, when they should arise, he would endeavour

to set the honourable member as right with regard to his arguments, as he had now set him right with regard to his facts. One question had been asked him by an honourable and learned gentleman (Mr. Brougham), to which he should take the present opportunity of giving an answer. The honourable and learned gentleman had asked him, whether the treaty between this country and Brazil had not been refused ratification? He entirely agreed with the honourable and learned gentleman as to the character of the stipulation to which he had made reference. Nothing could be more objectionable, or more impossible for His Majesty's Government to adopt. There were, likewise, other stipulations in that treaty to which he should be equally unwilling to give his assent. The fact was, that the treaty had been negociated without any instructions, and even contrary to the views which the English Government entertained upon such subjects. Yet though it had been negociated without instructions, if it had been unexceptionable, it would have been ratified by this Government; but objectionable as it now was, he had no hesitation in saying that it never had, and never would be ratified. He had only another observation to make before he concluded, and that was, that under the pressure now existing in the country, he could not think it advisable that the state of the corn laws should be brought under consideration during the present session.

The Address was agreed to.

BANK CHARTER AND PROMISSORY NOTES' ACTS.

FEBRUARY 13th, 1826.

The Chancellor of the Exchequer moved the order of the day for resuming the debate on the Bank Charter and Promissory Notes' Acts.

Mr. Secretary Canning rose, and said:—Before I proceed, Sir, to address the House, as briefly as I can, upon the very interesting and important subject which now engages its attention, I beg leave to set myself right with some honourable gentlemen, by assuring them, that in whatever I may say of the present system of our currency, and of the necessity of a speedy reform in it, I do not mean, in the slightest degree, to impute blame, or imply disrespect, to a body of men, whose character has been drawn into the debate; the administrators of the system, as it at present stands. So far, Sir, from wishing to disparage the country bankers, I think they have been of great and essential service to the country. I believe them to have been the medium of communicating a wholesome stimulus to

industry, and of directing into useful and legitimate channels, the industry and enterprise of the country. I believe that, if they have acted unadvisedly—if they have done any thing amiss—it is to be attributed to the nature of the system under which they have been compelled to act, and not to any abuse of the power lodged in their hands.

Such, Sir, being my sincere opinion, I have thought it proper to make this distinct protest at the outset; because I am aware that, in the ardour of discussion, it not unfrequently happens, that, from misapprehension on the part of the hearer, or inadvertency on the part of the speaker, expressions are understood in a sense very different from that in which they are intended, that what was meant for the matter is supposed to apply to the person. I wish to guard against any such mistake of my intentions. When I say, for instance, of the country bankers, what I said, upon a former occasion, of the Directors of the Bank of England—that however respectable they may be in their particular capacity, they are, nevertheless, not competent to be intrusted with the prerogative of the Crown, I say that which I hope I may be permitted to say without offence; and I am sure I say it without the smallest design to impeach the purity, or to derogate from the importance, of their character. I attach no blame to the individuals, but only to the system, which

they are the agents of carrying into effect. I will observe also, with reference to this part of the subject, that it appears to be a mistake to suppose that this question may not be brought to a practical issue at the present moment, with less danger and less inconvenience, than at any other period. For, I state it as my sincere opinion, that the great mass of the country banks now in existence, are fixed upon a stable foundation; they have stood out the storm which has thrown down weaker fabrics to the earth—and there is, therefore, a reasonable presumption, that they have nothing to fear from the pressure, whatever that may be—(though I believe the apprehension of that pressure to be excessively exaggerated)—which the proposed measures for effecting a change in the condition of the currency may bring upon them.

Impressed as I am, Sir, with this conviction, I think, that those persons would argue as illogically, as they would act unreasonably, who after the passing of the measure now under our consideration, should proceed to act with harshness, if a country banker, towards his creditor, or with precipitation, if a holder of country bank notes, in hurrying with them to the banker, for immediate payment in gold. My opinion is, that this measure is absolutely necessary for the due regulation of our currency; but that will not justify, or call for, either one or other of these courses in the

two descriptions of persons interested in its result.

Sir, I felt anxious to clear the ground of these invidious imputations, before I proceeded to deal with the question before the House, with that frankness and sincerity which it demands.

Sir, the honourable gentleman who spoke last has divided the subject into two parts; and his speech furnishes the best answer to the several objections that have been urged against the proposition of my right honourable friend, the Chancellor of the Exchequer, by several speakers who preceded the honourable gentleman. On the one hand, the measure has been described as wholly inefficient for the end proposed—mere milk and water; on the other hand, it has been contended that it will bring a pressure on the monied, commercial, manufacturing, and landed interests, which the country, in its present weak condition, is ill able to bear.

Now, Sir, both these characters of the plan of my right honourable friend, cannot be true; but both of them may be, and both are, incorrect. My honourable friend has shown how unfounded and fallacious is the first assertion, of the inefficiency of the measure, by pointing out how gratuitously it has been assumed to apply to causes with which it does not profess to deal. On the other hand, he has admitted, that the pressure is exaggerated; and he has come to the

conclusion which is expressed in the resolution of my right honourable friend.

Sir, one of the causes of the present distress—and it is one with which we do not presume, or attempt to deal—has been that extravagant spirit of speculation, so well described by several honourable members, and by none better than by the honourable member for Northampton, (Mr. Maberly), not now in his place, who in a speech which displayed the greatest ingenuity and ability, and in a manner which came home to the feelings of all who heard him, brought fully and fairly before the House, the true character of that prevailing mischief. When the King's speech informed us, that "some of the causes of the present embarrassments lie without the reach of direct parliamentary interposition," to what else could it be intended to allude, but to those speculations which, at the time, fixed the public gaze, and so immediately excited their appetency, as to cover the nation, in the eyes of foreign states, if not with disgrace, at least with ridicule? The most wild and incoherent schemes were started—projects which sprung with the dawn, and expired before the setting of the sun, in whose beams they glittered for a few hours, and then fell: a puff of vapour sent them soaring toward the skies; the puncture of a pin brought them to the earth. I really do not know, Sir, what legislative interference could possibly effect in such a

case. I do not know how a measure could be framed, to deal with those speculations of unreasoning avarice, which would not, at the same time, have borne so hard on honest industry and rational enterprise, that it would have been likely to do more harm than good. The inordinate appetite for gain, if left to itself, could not fail to work its own cure, through its own certain disappointment.

The public mind did, for a season, run riot; but is it affirmed that of this temporary insanity the conduct pursued by the country bankers was the cause? It has been, not fairly, inferred from the observation of my right honourable friend, that he so considered it, and that he therefore calls upon the House to agree to the present Resolution. No, Sir, I do not charge the country bankers with having originated this spirit of speculation; but I think it impossible to deny that the country banks were a source whence this inordinate speculation derived its aliment. The object of my right honourable friend is to have "the current in that place dammed up;" leaving the originating causes of that speculation to be operated upon, not so much by any specific measures which any human legislation could devise, as by the returning good sense of the country, by painful experience and by awakened reflection.

Sir, there is another prejudice which it may be necessary to dispel, before I can expect the

House to hear me upon this subject with patience and indulgence. I allude, Sir, to the fashion, set by the honourable member for Taunton, (Mr. A. Baring) on a former evening, and sedulously followed by the honourable alderman, (Alderman Heygate) the member for Sudbury, this evening, of imputing to every man who thinks it possible to apply the principles of philosophy to questions of a practical nature, the character of theorist and enthusiast, a person disposed to resign the greatest benefits, and to sacrifice the dearest interests of the community, in order to give effect to his own abstract principles. The honourable member for Taunton—in a speech, the ingenuity of which I admit, but which was, I think, one of the most inaccurate in its facts, and unfair in its inferences, that I ever heard delivered in this House—has endeavoured to fix upon me this character. I have no right, perhaps, to complain that, in the heat of debate, an honourable member should impute to me words which I never uttered, and things which I never did. If such an imputation results from a genuine error, although it leads to an unjust inference, I rest satisfied with simply denying the fact. But, Sir, the case is different, when I find that out of this error, an inference is to be drawn;—when I find it imputed to me, that in the debates on the report of the Bullion Committee of 1811, I voted for the immediate resumption of cash payments—when I

find this stated, and, more than this, the House solemnly warned by an honourable member, how they allow themselves to follow a blind guide, who would precipitate them from the solid and safe rock of a paper, into the troubled and tempestuous sea of a metallic currency—when, Sir, I see myself thus misrepresented, for the purpose of influencing the votes of the House—I am far from saying that the error was other than unintentional, but I must remark, that I never recollect to have heard any honourable gentleman fall into an error more fortunate for his argument. Sir, I not only did not vote, on that occasion, in the way in which I am said to have voted, but—

Mr. Baring.—I rise, Sir, to complain of the course which the right honourable gentleman is taking. I really do not think it quite fair, after I have apologized to the right honourable gentleman for the mistake into which I fell, that he should charge me with making that mistake intentionally. [Cries of "No, no, unintentional."]

Mr. Secretary Canning continued.—I spoke of the error as *not* being intentional; but, I submit to the honourable gentleman, that the part which I took in 1811, having been, however unintentionally, mis-stated, that it is necessary for me to set myself right with the House. I voted, on the discussion of the Report of the Bullion Committee, for all the Resolutions moved by the late Mr. Horner, which went to affirm the true principles of our monetary system; and I voted *against* that

Resolution which fixed a peremptory and short period for opening the Bank to cash payments. I thought great good would result from recording what appeared to me a sound opinion as to the principles of our monetary system: but, although I did so, I by no means agreed with the conclusion come to by the Bullion Committee, that the existing system being wrong, it ought therefore to be immediately—in the middle of a war—abandoned. The only proposition which I ventured to submit to the House, in the debates of 1811, was not a theoretical, but a practical proposition. It was this—that, during the continuance of the suspension of cash payments, the Bank should desist from either augmenting its capital or its dividends. Wise, or unwise, this proposition was, at least, a practical one, and exhibited therefore, the very reverse of that theoretical disposition, which has been charged upon me. And if, Sir, on the present occasion, I am for withdrawing, within a limited time, the one-pound notes from circulation, it is not from the mere love of theory, but because I have seen it practically proved, in the experience of years which have elapsed since the Bullion Committee sat, that the circulation of the small notes cannot co-exist with a metallic currency.

The House, Sir, cannot, I think, follow more wholesome advice than that which has been given to them by the worthy alderman, who recom-

mended us to tread in the footsteps of our forefathers; and doing this, no part of their policy will be found more strongly marked than was that for which I am now contending, up to the year 1797. Let the House look back to the first period of our commercial distress in modern times —I mean the year 1793. About that period, Sir, Mr. Burke—no mean authority—published a book on the French Revolution, almost every sentence of which, however canvassed and disputed at the time, has been justified by the course of subsequent events; and almost every prophecy has been strictly fulfilled. One passage in that book is so completely to the worthy alderman's purpose, that I am surprised he did not recollect it upon the present occasion. Mr. Burke, in describing the paper system of the French Revolutionary Government in 1793, took occasion to contrast it with that sort of paper currency, which, until then, had always circulated in this country. "They imagine," he observed, "that our flourishing state in England is owing to the Bank paper, and not the Bank paper to the flourishing condition of our commerce, to the solidity of our credit, and to the total exclusion of all idea of power from any part of the transaction. Our paper is of value in commerce, because in law it is of none. It is powerful on Change, because in Westminister Hall it is impotent. In payment of a debt of twenty shil-

lings, a creditor may refuse all the paper of the Bank of England." Mr. Burke concluded his observations on this subject by saying—what I very much wish we could say now,—" never was a scarcity of cash, and an exuberance of paper, a subject of complaint in this nation." Such, Sir, was the state of the paper currency in England, up to the year 1793; and to this good old system of our forefathers I am as anxious to return, as the worthy alderman, or any other honourable member, can possibly be.

Now, Sir, I will inquire, what are the objections which oppose themselves to the measure of my right honourable friend. The honourable member for Taunton has stated, that Government has so embarrassed and clogged up the Bank of England, that that body is no longer able to manage the circulating medium of the country. Another honourable member has, this evening, followed in the same strain. I trust, Sir, that I shall not be supposed to mean any thing uncivil to those honourable gentlemen, when I state them to be totally in error; and by going over the paper which I hold in my hand, point by point, I hope I shall convince the House, that, in every item of the account, they are decidedly mistaken.

The honourable member for Taunton has stated the different sums for which, as he alleges, the Bank has become security for the Government. In the first place, there is, he says, a sum of

£6,000,000 which the Bank has advanced for the Government, on account of Exchequer bills. The honourable member next stated, what are called the "deficiencies;" namely, the advances made by the Bank, on the faith and credit of the receipts of the current quarter, amounting, as he states, to £7,000,000, but which, in point of fact, amounted only, on the 5th of January, to £5,500,000; and I can assure the House, that, at the time at which I am now speaking, they are reduced far below that sum. The honourable member has fixed the sum necessary for paying off the dissentient holders of the four per cents. at £2,000,000. The dead weight, as it is termed, he has described as swallowing up £8,000,000; though, in fact, it requires only £6,500,000; and lastly, he has noticed the sum advanced by the Bank on mortgages, which amounted to £1,500,000.

Now, Sir, the objection of the honourable member does not seem to be so much directed against the amount, as against the nature of the different charges. The tendency of the honourable member's speech was this—that His Majesty's Government have committed the crime of laying this heavy load on the shoulders of the Bank, and that the Bank, in consequence thereof, has been rendered incapable of exercising its proper functions.

Now, Sir, to take the honourable member's items in the inverse order of their introduction.

In the first place, I must observe, that the sums lent by the Bank, in the way of mortgage, are no more a concern of the Government than they are a concern of the honourable member himself. The Bank, Sir, thought fit—and I certainly do not blame them for so thinking—in a period of great public pressure, to do what appeared to them to be a great public good; at the same time that, by so making use of their resources, they were likewise benefitting themselves. They thought they had a right to obtain a just and fair advantage for the body of proprietors, by advancing upon landed security, the sum of £1,500,000. Whether they acted wisely, or unwisely, in entering upon this speculation, is a question which I do not propose to determine; and one with which the Government had nothing to do. It was entirely in their mercantile capacity, and in the exercise of their mercantile discretion, that the Bank made the advance in question. It might be bad, or it might be good—but it was a transaction with which the Government had not any thing, even in the slightest degree, to do.

Sir, as to the dead weight, I profess, as honestly for myself, as the worthy alderman professed for himself, that I have attempted to understand the arrangement. Though, Sir, it does not always follow—and in saying so, I mean nothing offensive to the worthy alderman—that the attempt to understand a subject, enables a man to

arrive at that understanding. Sir, I am serious. I do honestly confess, that the arrangement of the dead weight I do not understand. But, whether the Bank made a prudent bargain or a foolish one with the Government, or whether the Government made a wise bargain or an improvident one with the Bank, has nothing at all to do with the present question. That which was done was simply this—the Government sold an annuity, and the Bank bought one. The Bank took up the transaction entirely in their mercantile capacity. They might, if they had so pleased, have gone into the market the very next day, and disposed of their purchase to the best bidder. The Government were no more responsible for the Bank holding in their hands that which they had bought of the Government, than they were accountable for any indifferent transaction of that body. They had no more to do with it, than they would have had to do with the conduct of the honourable member for Taunton, if he, having taken a share in a loan, chose to keep that share entirely in his own hands, when, if he so pleased, he might have sold it. If inclined, the Bank had the power of getting rid of this bargain. They find, I have no doubt, that they can make a greater profit by retaining it; and such being the real state of the case, I must withdraw the sum connected with the dead weight from the honourable member's argument; because it must be evident to every

gentleman who hears me, that if, in consequence of this bargain, the Bank are incapacitated from doing any act which may be considered beneficial to the country, it is their own fault, and not the fault of the Government.

Thus, Sir, I think I have fairly disposed of £6,700,000 out of the £24,500,000 with which the honourable member so confidently asserted that the Government had loaded the Bank. The next item to which the honourable member adverted, was the sum of £2,000,000 for paying off the dissentients on the four per cents. But this sum is in a regular course of payment; indeed, my right honourable friend the Chancellor of the Exchequer intimates to me, that the debt will be entirely liquidated in the course of the present year.

Then comes the amount of Exchequer bills, and the deficiency bills, as they are called. And with regard to these deficiencies, where, I ask, is the fairness and justice of the honourable member's argument? The honourable member thinks fit to assume, because the Bank is called upon to pay the quarterly dividends upon certain days, that that great body must therefore be considered to be out of pocket, during the whole quarter, to a large and embarrassing amount. The honourable member took no notice whatever of the constant and gradual reduction of the sum advanced. So far from it, the Bank may have, during a period

of the quarter, large balances belonging to the Government in their hands. The fact is this, the Bank undertake to make certain payments on a certain day, on behalf of the Government; and they are in the constant receipt of a portion of the revenues of the country, sufficient at once to repay gradually their past advances, or to prepare them for the advances of the ensuing quarter.

As I am not, Sir, very conversant in matters of this nature, I will endeavour to explain my view of the case by supposing a parallel case in private life. I will suppose that a nobleman or gentleman, possessed of a large landed property, is bound to pay an annuity, say of £4,000 a-year, in four regular quarterly payments; and that he assigns to his agent the rents and profits of certain parts of his estates, in order to meet this annuity. He would say to that agent, "All you have to do is to make my quarterly payments for me, and to reimburse yourself out of my rents as they come in. If you should be in advance for the quarter beyond what my rents will satisfy, then you will charge interest for such advance. On the contrary, if it should happen that you have rents of mine in your possession beyond what is required for the payment of the annuity, I ask no interest for the surplus money in your hands." With what justice, Sir, can it be said that an agent, under such circumstances, can be out of pocket? He may occasionally be in ad-

vance, but in that case he will be indemnified by receiving interest for his advance; while, on the contrary, he has the free use, without payment of interest, of any balance which may be at any time in his hands, beyond the amount of the fixed demand. Surely an agent thus circumstanced would have an advantageous agency; and is not the agency for the public, in the case which I have used this illustration to explain, a most advantageous agency for the Bank of England? The fact is, that in making this advance, the Bank of England are the bankers of the Government, and the Government deals with the Bank, just as the nobleman or gentleman would do with his agent in the case which I have supposed.

The case will be still clearer if we examine how this arrangement between the Bank of England and the Government works. On the 5th of January, 1824, the sum advanced by the Bank for the public service amounted to £1,540,000, all of which was cleared off in the course of the next quarter. On the 5th of April following, there was an advance to Government of £169,000. This, Sir, was liquidated in the course of a few weeks, namely, on the 28th of May; and from the 28th of May to the 5th of July, the Bank remained in possession of a certain portion of the public revenue, with which it was at liberty to deal in the way most conducive to its own benefit, without being called on for the payment of inte-

rest. On the 5th of July following, the advance on the part of the Bank amounted to £1,600,000. This was cleared off on the 3d of September; and, from that period to the 10th of October, the Bank held a portion of the revenues of the Government in its hands. On the 10th of October the advance made by the Bank amounted to £1,400,000, which was cleared off by the 10th of December; the Bank of England was again a gainer by the use of that portion of the public revenue which accrued between that day and the 5th of January.

On the 5th of January in the present year, the advance made by the Bank for the public services —as has been truly stated by the honourable member for Taunton—amounted to £5,500,000. But, Sir, on the day on which I am speaking, £2,700,000 of that sum has been liquidated; and the remainder is in the progress of daily reduction.

Is this, Sir, a proceeding that is likely to fetter the operations of the Bank? I deny that it is. I maintain that it is an aid, instead of an impediment; and that, if the Government, for any good reason, were to withdraw its business from the Bank and place it elsewhere, the Bank, so far from being relieved from a burthen, would be deprived of a great and legitimate source of profit.

I am surprised, Sir, that it should have escaped

the recollection of gentlemen, that in the Report of the Bullion Committee of 1811, and again in the Report of 1819, there is a distinct recommendation that every statement of the advances made to the Government by the Bank should be accompanied with an account of the balances of the public money which the Government are in the habit of leaving in the hands of the Bank.

And what, Sir, is the average of those balances? The average of the balances left in the hands of the Bank by Government—which balances the Bank is authorised to use for its own profit—amounts to no less a sum than £7,000,000. So here, again, is an aid afforded to the Bank by the Government, instead of an impediment thrown in its way, as stated by the honourable member for Taunton.

Thus, Sir, I have explained away, item by item, this £24,500,000, which the honourable member described as cramping and clogging the energies of the Bank, until nothing of the burden said to have been thrown on its shoulders remains, except the six or seven millions of Exchequer bills, which the Bank now holds. I am sure the honourable member does not mean to say—indeed he cannot mean to say—that this last is an objectionable item. The original charter of the Bank recognises it. It is the foundation of the whole superstructure. And, when the balance between the Government and the Bank of England shall

be struck, it must not be left out of the account that the Bank are dividing 8 per cent. upon a capital of £14,000,000, instead of 7 per cent. upon its original capital of £11,000,000. The honourable member must be aware at what time, and under what circumstances, this change has been effected—that it has been accruing from a series of bonuses, divided amongst the Bank proprietors in the years during which cash payments were suspended. And, Sir, it was with reference to this fact, that, in one of my speeches which I made in this House on the Report of the Bullion Committee, I threw out, not a theoretical, but a practical proposition, namely, that during the continuance of the restriction of cash payments, the Bank should not be allowed to increase their dividends.

I think, then, there is nothing in the present state of the Bank of England, which justifies the complaints made by the honourable member for Taunton. Sorry should I have been, if the honourable member had made out his proposition, even to the extent of this last item; for if, as I gathered from one part of the honourable member's speech, he looks forward to some plan not yet divulged, for affording temporary relief, the Bank of England is the main instrument by means of which any such plan can be carried into effect. It would be the greatest misfortune for the country, to induce a belief that this mighty

establishment is not competent to wield the great powers which are intrusted to it. So far as the Government is concerned, I maintain that the Bank has never been more disencumbered than it is at the present moment.

If, then, there is no difficulty, as between the Bank of England and the Government, in carrying into effect the proposition of my right honourable friend, what are the difficulties, militating against that proposition, which exists with regard to the country banks?

It is admitted, Sir, that we have only an approximation to the amount of country bank-notes in circulation. No certain estimate can be made. But, it appears, from a comparison of the different calculations, that we should compute the amount rather too high, if we took it at 6,000,000*l.* and rather too low, if we took it at 4,000,000*l.* What will be the effect of my right honourable friend's proposition? Why, that this amount—be it 6,000,000*l.* or be it 4,000,000*l.*—will be paid off in the course of three years, that is to say, will be withdrawn from circulation. There are about 800 country banks. That number has, perhaps, been reduced, by the late unfortunate events, to about 700. If we divide between that number of country banks the amount, say six million, of one and two pound notes in circulation, it will give a proportion of somewhat above 8,000*l.* to each bank. That would be about the sum which each

country bank would, on the average, have to call in, and for this process it is proposed by my right honourable friend to allow a period of three years. In other words, time is to be given, to enable the country bankers to withdraw somewhat more than 2,000*l.* and somewhat less than 3,000*l.* per annum, from their small note circulation. After all that we have heard, and after all that I am quite ready to admit, with regard to the solidity and respectability of the country banks, surely, Sir, it will not be contended, that such an effort will so strain their capacities, as to bring ruin and confusion upon the country. Quite sure I am, Sir, that the proposition of my right honourable friend, however it may have been exaggerated in apprehension, is one which, when reduced to its proper dimensions, and gauged by the rules of arithmetic, will shrink into so small a compass, that no feeling will remain but that of surprise and astonishment, that it could ever have been swelled to such apparent magnitude and importance.

Now, Sir, while I deny that the effort is one which the country cannot easily bear, and while I observe that some honourable gentlemen treat the proposition as one of too narrow and confined a nature to produce any considerable effect, I think it necessary to remind the House, that however diminutive the immediate object may appear, it is great and mighty in principle. It is,

I repeat, great and mighty in principle—if the effect of the gradual diminution of the paper circulation of those different establishments shall be to restore, in the opinions and minds of men, the fixed and unerring principle of a metallic standard, for the currency of the country. If, Sir, it shall produce such an effect, the present effort, trivial and puny as it may appear in itself, will have achieved a great good, and conquered a growing evil—an evil which, if not stopped in time, will go on increasing, until it becomes incalculable and insurmountable.

Sir, we have all seen something of the growth and progress of the one pound note system. I have already quoted Mr. Burke's account of the state of our currency, as it stood before the breaking out of the French Revolution. I came, Sir, into Parliament two years before that great man retired from public life. I had the good fortune to enjoy, during the short remainder of his natural life, a small portion of his private friendship. A letter—the only letter which I ever received from him, and which I have treasured up as a memorial of departed genius—was on this very subject. It was written at Bath, on that bed of sickness from which he never afterwards rose. After discussing the arguments for and against the measure of the Bank restriction, the letter concluded with this remarkable sentence—"Tell Mr. Pitt, that if he consents to the issue of one-pound

notes, he will never see a guinea again." Mr. Burke, like most prophets, was not believed at the time of uttering his predictions. One-pound notes were issued in abundance; they expelled, as had been foretold, guineas from circulation, and at length, as the honourable member for Taunton and myself must well remember, in the debates on the Bullion Question in 1811, it was found necessary to hedge the one-pound note with a divinity which was never before supposed to belong to it, by the famous resolution of this House, which equalizes it with sterling gold. In the division of that day, the honourable member and myself opposed that resolution—to which my noble friend was the god-father, but not the father, [cries of "Name!"] No, Sir, I will not gratify gentlemen's curiosity by naming the father, but I can assure them Mr. Vansittart was not the father of the bantling, though he took upon himself to answer for its sins.

Seriously, Sir, the existence of that resolution forms a very good reason for acceding to the proposition of my right honourable friend. This, Sir, I am satisfied must be evident to every thinking man; and the fact becomes more evident, from something which passed in this House in the course of last year. An obscure notion was prevalent throughout the country, that the one-pound country bank note was not necessarily convertible into gold on demand. This appeared from a

petition, presented by the honourable member for Montrose, in which it was stated, that a respectable banker had refused to give cash for a one-pound note—grounding his refusal upon the mistaken assumption, that, by law, he was not obliged to do so.

Now, Sir, when such a mistake could have been made by a man of business, an educated man, is it not a strong reason for our coming to a resolution, by which the possibility of such a mistake being made in future may be avoided?

The honourable member for Callington (Mr. Attwood) has said, that, in passing the present resolution, His Majesty's Ministers are about to do more mischief than they had imagination to conceive. The honourable member must be a very inattentive observer, if he has failed to discover, in the mistake which I have just noticed, a germ of mischief which it becomes the bounden duty of Government to smother, before it shall arrive at a fatal maturity. The honourable member has also asked, whether His Majesty's Ministers have, or have not, repented of the declaration which they at that time made, relative to another suspension of cash payments. The honourable member seems to think, that a period may arrive, any, that there has been a period at which that resolution was on the point of giving way. For myself, I will say, that I do not contemplate the possibility of such a thing: and, if any one asks

whether our resolution has at any time been shaken—for myself and my colleagues I unhesitatingly answer—No; not for one moment. The honourable member has said, that this is all vapouring—that the time may come when hard necessity will compel us to depart from our determination. The honourable member is mistaken. Sir, what we said—and what I now repeat—and what, under any circumstances, we shall be found not to deviate from—was this—that we will not again fix on the Bank a coercive measure, to prevent them from paying in specie. A time may possibly arrive—though, for my own part, I have no more idea of the arrival of such a state of things than I have of a general convulsion of nature—a time, I say, may possibly arrive, when events may impose upon the Bank the necessity of a voluntary restriction: but this I will say—that no lapse of time—no change of events will induce us to ward off that evil by consenting to interpose the powers of the Government to put a stop to the regular circulation of the country, and to substitute for it a forced paper currency, not convertible into gold, on demand.

If then, Sir, I have shown, that there is no practical difficulty in removing so much of our paper circulation as is contemplated by the present resolution; and if, on the other hand, it would appear that a positive benefit would be derived from doing so; I would ask of those who

oppose the measure, to point out what good can be derived from the continuance of the issue of such paper? I would even ask them, whether its continuance is so perfectly harmless as to call for no interposition? Is there nothing, Sir, independent of the swelling of prices, and the raising the value of commodities; is there, I would ask, no practical reason, which comes home to every breast, to call for an alteration in the system. Are there no opinions in the country in favour of those who support this proposition? Is there no district in the empire, into which these small notes are not permitted to enter; no province in which the use of them is entirely unknown? Do not gentlemen know, that a project for the issue of one-pound notes was unsuccessfully tried, some time ago, at Manchester? It is sufficient for me only to mention the names of Lloyd and Heywood—to which I could, if necessary, add others of equal weight and respectability—to convince every one who hears me, that the objection to the enterprise could not have had its foundation in any distrust of its authors. Nevertheless, Sir, as soon as an attempt was made to carry the speculation into effect, a public meeting was held at Manchester, at which the Boroughreeve presided; and, so loud and so general was the disapprobation of the projected measure—so violent was the hostility to the introduction of an element, without which some gentlemen seem to

suppose the ordinary business of the country cannot go on—that the enterprise was, of necessity, abandoned.

Are gentlemen aware, Sir, that a circle drawn round the great trading town where the above resolution was come to, would embrace a population of about two millions of souls; and that a similar circle drawn round the metropolis, would include an equal population, amongst whom the circulation of small notes is unknown? And, do they reflect, that here are four millions of Englishmen, who know not practically what a one-pound note is? And yet, Sir, we are gravely told that without this species of circulating medium, not only is prosperity unattainable, but the very fabric of society is in danger of being dissolved.

But, Sir, is there no other incentive to the adoption of the measure now proposed by my right honourable friend? Is it not known, that not many weeks back, in consequence of the failure of the banks, a deputation waited upon His Majesty's Government, from the neighbourhood of one of the dock yards, and represented that they had not the means of paying the workmen their wages? All the banks in the neighbourhood had failed; and, such was the state of things, that not a Bank note was to be procured. Is a state of things like this to be suffered to continue? Is it not a mischief, the possible recurrence of which it is the duty of Government to prevent? I trust

that nearly all that was frail and feeble amongst the country banks is already gone. But though I am persuaded that the confidence which I place in such of them as have stood the shock is not ill-founded, does not the example of the past render it incumbent on us now that the opportunity is afforded us, to fix on a more solid basis, the circulation of the country?

But, Sir, it is vain to think of introducing gold, amidst the overwhelming spread of small paper circulation. So long, Sir, as that circulation shall continue, so long will the gold, of necessity, disappear. The small paper chokes up all the ordinary channels of circulation, so that the gold, though issued from the Bank, cannot flow into them, but is returned back to the source from which it came. We are accused of wishing to confine the circulation to the precious metals; but, in this respect, our views have been greatly misunderstood. Gold may be adopted as a medium of circulation, without trenching upon the use of the paper currency of a higher designation, or coming into collision with that article which furnishes the means of so large a proportion of mercantile dealings; namely, bills of exchange. Such paper you may pile mountains high, and those mountains will stand, provided their basis be irrigated with gold.

But some honourable gentlemen have expressed their surprise, that the same individuals who have

raised such an outcry against the smaller species of Bank notes, should declare themselves in favour of notes of a higher denomination. Now, Sir, the only surprise is, that there should have been any surprise at all. Sir, the one-pound note possesses qualities which the larger notes do not. The larger notes, indeed, like the smaller, are so many promises to pay the equivalent in metal: but it is in the one-pound notes, that these promises are daily put to the test. When the labourer, or mechanic, presents a one-pound note, and finds that, instead of gold, nothing is to be had in exchange for it, but another piece of paper like itself—what is the consequence? A want of confidence grows up amongst the lower orders, through whom, and from them to their superiors, that want of confidence spreads with increased rapidity, involving in it the destruction of commercial credit, and depriving thereby the working classes of the present means of subsistence.

In the one-pound note there is this marked difference from the larger paper; that it is the representative of the sovereign; the express "image and superscription of Cæsar." The King coins not bills of exchange, nor large notes, but sovereigns. The inability to get a sovereign for that which professes exactly to represent it, and to be equivalent to it, is a more sensible disappointment and breach of faith, than an exchange of paper for paper; and it is a disappointment and

breach of faith which falls directly on the poor. The coiner of the one-pound note, if he does not exercise the prerogative of the Crown, fabricates a manufacture which takes the place of the King's coin. The resolution of my right honourable friend, should it receive the sanction of the House, will go to correct this evil. I am convinced, that the Legislature cannot do an equal quantity of good, in any other way, with so little sacrifice and with so slight an effort.

It is impossible, Sir, to have attended to the course of the present discussion, without discovering that the opponents of the measure are divided into two classes. One class—and that, I am afraid, by far the larger of the two—while they openly profess to have no other object but to procure delay, and to have the measure postponed to a fitter time, really mean quite another thing; and are desirous to choke—to use a word which has been more than once employed in the course of the debate—the measure altogether; this professed object of gaining time is neither more nor less than a cover for a rooted, fundamental, unsparing, and unextinguishable objection to the circulation of any other currency than that which prevailed during the war.

There are others, and these constitute the second class, who really seem to think, that to gain time is itself an object of importance; and, at the head of this class, is the able and en-

lightened member for Taunton; who, however unaccountable his present views may appear, is imbued with as just and correct a general notion of what sound circulating medium should be, as any of the supporters of my right honourable friend's proposition. Some of this class are of opinion, that there is something peculiarly unfavourable in the time that has been chosen for carrying my right honourable friend's proposition into effect. Now, Sir, I contend, that the present time is the very best that could be fixed upon. If any of those who object to the present time mean to say, that the thing should have been done long ago, I agree with them. But, in justice to His Majesty's Government, I must be permitted to say, that in 1822 they were foiled in a similar attempt. Had not the bill then brought in to extend the circulation of small notes for two years, been altered in this House, and the period of ten years substituted for their original design, for that of two, I believe that England would now have been in the state of prosperity from which she has momentarily fallen; and I am convinced we should not, at this moment, have had imposed upon us the necessity of devising means for the preventing the recurrence of calamities similar to those which we now experience.

Let the past be a lesson to us for the future: and having once erred so fatally by postponement, and feeling, as we do, the ill effects of it,

let us seize the present time as the most appropriate for an effort to restore the circulating medium to its proper, sound, and healthy condition.

As to those who, under the mask of delay, are fondly looking to a perpetual, unlimited, unregulated circulation of paper, I beg them to recollect how the law, with respect to the currency, at present stands. The existing law will, at the furthest, put their favourite one-pound notes to death, in the year 1833. That is the remotest period to which their existence can be protracted, under the provisions already made by Parliament. That extinction, let gentlemen remember, will be coincident with the expiration of the charter of the Bank of England. Will any gentleman tell me, that that would be a convenient time for the withdrawing at once of these small notes; or, if not, for again discussing and disposing of a question of such vital importance? I presume that no one will assert, that it would be particularly convenient to make the expiration of the Bank Charter, and the withdrawal of the one-pound notes contemporaneous. I take for granted that the stoutest advocate for delay is not prepared, at least at the present moment, to extend the circulation of the small paper of the country bankers to a later period than that to which the Bank Charter is limited—that, indeed, would be to meet the question boldly, and to call for a circu-

lation of perpetual paper, unadulterated with gold.

All that is proposed by my right honourable friend is, to get rid of this system four years sooner than was contemplated by the Act of 1822, as it passed this House, but not by the bill as brought in by the Government. The abundant space of three years is still to be allowed for carrying into effect the alteration. Not one of the many gentlemen who wish for a little more delay —only a little more delay—in passing the measure, have attempted to assign any reason for the precise period of further delay which he has required. The honourable member for Taunton thinks that one year of grace would be necessary; while, on the other hand, another honourable member is of opinion that even a month's delay would be sufficient.

Sir, I confess I object alike to both these suggestions, and cannot approve of any delay, because I am convinced that—no matter what the assurances, or pledges, or explanations may be, with which it is accompanied—out of doors delay will be considered as a defeat of the proposition of my right honourable friend. Such, assuredly, will be the construction put upon it by that party in the country whose interests induce them to look to the indefinite prolongation of the circulation of the one and two-pound notes.

But, Sir, supposing the advocates of delay to

deny my conclusion, supposing those honourable gentlemen to be, really and *bonâ fide*, sticklers for time, merely to gain an opportunity for preparation on the part of the country bankers—will they, or will any one of them, undertake to answer, that the interval given them with a view to preparation, will be so used? On the contrary, Sir, may it not, I ask, if granted, be employed, not in such preparation, but in taking steps to prevent the possibility of a recurrence to cash payments?

The honourable baronet (Sir J. Wrottesley) opposite seems by his manner to admit the justice of my suspicion. And, indeed, he has too open and ingenuous a countenance to indicate any thing except what is really passing in his mind. I am almost tempted to ask my honourable friend whether he has not heard of schemes in preparation for the defeat of this measure, which would, if put into execution, render it idle to resume the discussion of this question in a year, aye, or a month from the time at which we are now speaking.

Let us see, Sir, what encouragement we have to concur in the line of conduct recommended by the advocates for delay. For years and years His Majesty's Ministers have been assailed with representations, urging the propriety of throwing open our commercial system. We were called on, session after session, by enlightened members

on the other side of the House, to make our trade free as the air, to enlarge it by opening it to all the winds of Heaven, to extend it to the very ends of the earth. This, Sir, we were called upon to do; and, I am willing to admit, in perfect rectitude of intention, by men generally holding political opinions different from our own.

Sir, we have attempted to free the trade of the country from those restrictions which cramped and encumbered it; and to establish an enlarged system of commercial policy, more consonant with the spirit of the age, and with the demands of our situation. In adopting the regulations necessary for the carrying such a system into effect, we found that if there was any one branch of our trade which, more than another, called for revision, it was the silk manufacture of this country; and, acting upon this conviction, and aided by the honest, honourable, and effectual assistance of those who had previously, from time to time, preached similar doctrines, we succeeded in carrying their opinions and our own into effect.

What was the course taken by the opponents of that measure? After the entire defeat of their opposition to it, what did they do? They asked for time to enable those who were engaged in the silk trade to prepare for the altered system. Sir, the time was given. And how was that time employed? In preparing for the opening of the ports? In taking steps to adapt the silk trade

to the state of things that was about to arise out of the new law? No such thing; but, in raising every possible obstacle to the operation of that law—in doing every thing that human ingenuity could devise to make the new arrangement which comes into effect in July next, impracticable. Has there been, Sir, any gradual alteration adopted in the mode of manufacturing and trading in that article, calculated to meet, and to give effect to the proposed regulations? No. Was employment gradually reduced in extent, or the importation of the raw material lessened? Neither. The market has become glutted with a redundancy of manufacturers, sufficient in itself to have occasioned the existing distress in that branch of our trade, and by the increased importation of the raw material (which, in the last year alone, was more than doubled), the distress has been still further increased. And, after all this, an outcry is now raised upon those very difficulties which have been thus wilfully and purposely contrived, and a fresh appeal is founded upon them, for a still further prolongation of the restrictive system. Is this any encouragement to us to comply with the call for delay in the present instance? On the contrary, with such an example before our eyes, to grant a further delay would, in this case, be to fall twice into the same error; in fact, to stultify our own measure,

and to render it impossible, when the time shall arrive, to carry it into effect.

I hope, Sir, it is entirely unnecessary for me, or for any member of His Majesty's Government, or for any member of an English Parliament, at this time, to avow the sorrow and anxiety which every feeling man must experience at the commercial and financial distress which prevails to so large an extent throughout the country. Indeed, I am bound to confess, that much as I differ in opinion with several honourable gentlemen who have taken part in the present discussion, there has been, nearly on all hands, a prudent and generous avoidance of such topics and expressions as might, if introduced into debate in this House, have been made use of out of doors, whether mistakenly or mischievously, to enhance the difficulties of Parliament, to embarrass the Ministers of the Crown, and to aggravate and inflame the national distress. The question has been fairly argued on its own merits, and with an honourable abstinence from every thing that could have had a tendency to create unnecessary irritation. It cannot be necessary for an assembly of Englishmen to declare that they feel for the distresses of persons with whom every individual of that assembly must, necessarily, be more or less intimately connected or acquainted; and far less, to make a protestation of their sympathy with the privations and sufferings endured by the more humble, but not

less valuable class of our fellow subjects, upon whose labours, and upon whose comfort and happiness, the well being of society depends. It is with regard to those humbler classes of the community that I think this measure, important as it is to all, of the most immediate importance.

I am not so absurd as to assert that the proposed alteration of our currency will directly put an end to those commercial embarrassments which have mainly arisen out of the unwholesome and preternatural extension of commercial speculation; but this, Sir, I do say distinctly, that I believe it will tend materially to prevent the recurrence of that distress, which beginning with the higher, is sure to find its way, sooner or later, to the lower classes of society.

Sir, it was the wish of the most favourite monarch of France, that he might live to see the day when the condition of his subjects would be so far improved that every peasant in his realm should have a fowl in his pot on a Sunday; and sure I am that if this resolution of my right honourable friend should be acceded to, it will at least do this much for the peasant and artisan of England—that it will ensure to every man at the end of his week's toil, that he shall carry home, as the earnings of his week's toil, not a piece of, perhaps, worthless paper, but a portion of the precious metals in his pocket.

Mr. Baring moved, by way of Amendment, "That it is the opinion of this House that, in the present disturbed state of public and private credit, it is not expedient to enter upon the consideration of the Banking System of the country."

The House divided.—

For Mr. Baring's Amendment	39
Against it	222
Majority . . .	183

The original question was then agreed to, and the House resolved itself into the committee.

STATE OF THE SILK TRADE.

FEBRUARY 24th, 1826.

Mr. Ellice, on the 23rd of February, moved "That a Select Committee be appointed to inquire into and examine the statements contained in the various petitions from persons engaged in the Silk Manufactories, and to report their opinion and observations thereon to the House."

Mr. John Williams seconded the motion. He said that he understood it to be always desirable, that any experiments in the way of trade should be made when countries were in a state of ease and tranquillity, and not in times of difficulty and danger like the present. * * * * He would show, from the situation of the silk interest in Macclesfield, what would be the effect of a perseverance in the contemplated measures.—That town, under our old

and erroneous system, had increased, since the year 1780, from a population of 4,000 persons, to a population of 23,000. It might be, that the right honourable gentleman opposite (Mr. Huskisson) would think this an increase more rapid than desirable; but famine was not a mode of thinning the numbers which would be found consistent with the peace or safety of the country. In Macclesfield, however, in the year 1825, there had been employed, in all branches of the silk trade, 22,000 persons. The number now in employ, and in scanty employ, and at low wages, was only 8,700; being 14,000 thrown out of work by the operation, as the silk manufacturers contended, of the new measures. Sixteen thousand families, in Macclesfield only, were supported by voluntary contributions, upon potatoes and oatmeal; and the fund which so supported them was rapidly exhausting, and in a few weeks it would be at an end. This was independent of parochial relief, which oppressed the trading interest; and orders of removal were signing every day to throw part of the burden on the land. In Manchester the state of things was scarcely less calamitous than at Macclesfield. * * * * * * *

It was an ill beginning for the practice of those pure principles which were hereafter to guide our commercial policy, the making so hazardous an experiment as the present in a time of such distress. The right honourable gentleman opposite attributed the depression of the silk-trade to the same causes which had affected the other branches of our manufacture—to an excessive spirit of speculation, and to an over-production arising out of that spirit. He (Mr. Williams) did not admit that to be the fact; but, taking it to be so, for the sake of argument, how should the right honourable gentleman, on his own principles, proceed to correct the mischief? Clearly, according to his own pure and liberal principles, the right honourable gentleman

would leave the correction to work itself by a simple and natural operation. The glut of goods in the market would lead to a fall of prices, and under that sacrifice the stock on hand would be got rid of. But if the demand which might thus arise out of a fall of prices was sure to be impeded by the operation of these new measures, then surely the petitioners made out their claim, as far as the grant of further time went, to relief. For this over-production, he denied it as a fact; and he had the authority of the best informed persons in the trade for doing so. The stocks of the warehousemen and mercers could be proved to be at the present moment very far below par; and the cause of the failure of demand was the knowledge by these dealers, that in July a mass of French commodities would pour in, at a rate which must undersell the English manufacturers. The fact was, that the demand failed, and would continue to fail, in consequence of the expected measures. When the demand arose again—assume that it flagged from the overloaded state of the market—it would be a demand for French goods, and not for those of our own manufacture. That this result must arise was perfectly certain, because the French silks would be sold under the English, and no exertion could prevent them. The cost of the immense quantity of manual labour required in all the departments of the silk trade must be determined, wherever that trade was carried on, by the price of provisions; and he had it from authority which could not be disputed, that, in July last, the price of bread had been three sous per lb. at Lyons, while in England it was 2½d. Here was a difference, which would at once turn the balance in favour of the French dealer in silk, two to one upon four-fifths of the whole charge of manufacture. He repeated that the effect of these new measures was, not only to suspend the demand, which ought to remove the existing glut (if there was any)

in the market, but also to turn that demand, whenever it arose, into a demand in favour of foreigners, with which the low duty imposed by the right honourable gentleman opposite could never enable the English manufacturer to compete. If the duty was left where it stood, we were undersold in our own market; and if a high duty were imposed, the trade went into the hands of smugglers. Honourable gentlemen might cry "hear;" but he wished he could prevail upon them to defer the commencement of their new measures until the country had some glimpses of that reciprocity which had been so liberally talked of, from foreign powers, but to any exhibition of which, so far, he was so unfortunate as to be insensible.

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Where was the reciprocity, or disposition to reciprocity, which other nations had exhibited? He doubted not, that while the right honourable gentleman was dealing out the hospitality of this country, he had found plenty of people to accept of it; but where was any body who sent him an invitation in return? He should be glad to hear one single act of reciprocity which justified the right honourable gentleman opposite (Mr. Huskisson) in persevering to be what he called consistent, which was, in fact, persevering that he was right in his opinions. It was said, that these measures were part of a system which had received the approbation of all parties in the House. That fact would afford very little consolation to the persons who were to suffer by them.

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The honourable and learned gentleman continued to comment upon the inopportune season chosen to carry into effect this branch of the new liberal system of Government in commercial policy. "Ye gods, annihilate both time and space," had been allowed, under particular circumstances, to be a comparatively reasonable petition. So he would say

here; let gods or men destroy three things—time, taxes, and poor rates; and then let any newly enlightened Minister open his eager arms to admit the unrestricted commerce of the world. But until that were done, to talk of free trade, what was it but to propose that a man bound in fetters should try his strength or agility with one whose limbs were wholly free? This was the difficulty. Remove that triple necessity which he had mentioned, and then let the ports of Britain be opened to the inhabitants of the whole earth. For his own part, he could not allow the existence of 500,000 persons to be used as an experiment in proving the correctness of an abstract theory. If the authors of this measure were so strongly enamoured of their principle, that they were prepared to make that sacrifice in carrying it into effect, the strength of their resolution would, under present circumstances, only prove the quality of their hearts.

A perfect metaphysician, as Mr. Burke had observed, exceeded the devil in point of malignity and contempt for the welfare of mankind. He must look upon their perseverance, in this case at least, as a proof of overweening attention to any principle which they might have adopted, be the application, in experiment or result, either good or bad. Let the right honourable gentleman opposite, and his colleagues, take one admonition from him;—the responsibility must in any event remain with them. From that responsibility no gentleman or set of gentlemen in that House could relieve them.

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Mr. Huskisson.—Although the honourable member for Coventry, who introduced the present motion, may be supposed to be under the influence of suggestions and views which have been furnished to him by his constituents, and from other sources out of doors, I am, nevertheless, ready

to admit that that circumstance ought not to detract from the weight which is fairly due to the honourable member's statements and arguments, in support of the motion which he has submitted to the House.

But, Sir, however true this may be, as far as respects the honourable member for Coventry, the same observation applies not, in the remotest degree, to the honourable and learned gentleman (Mr. J. Williams), who has seconded the motion, and who, acting I must suppose under the influence of a connection, certainly not political, but the more binding, perhaps, as having been more recently formed, has thought proper to take a wider range, and to indulge in a higher tone of declamation; or, it may be, that he looks forward to the expectation of becoming the colleague of the honourable mover; and, by his speech of this evening, proposes to declare himself a joint suitor with the honourable mover for the future favours of the good people of Coventry. Whatever may be the motives of the honourable and learned gentleman, I confess that I have listened with the utmost astonishment to the speech which he has just delivered.

Sir, in the course of that speech, the honourable and learned gentleman repeatedly told us, that he was not authorised to make certain statements—that he was not at liberty to admit this, and to admit that. This, I presume, is a mode of expression in which gentlemen of the legal profession are wont to indulge, to mark that they keep themselves within the strict limits of their briefs, and that the doctrines which they advocate are those prescribed to them by their instructions. However customary and proper such language may be in the courts of law, it certainly sounds new and striking in the mouth of a member of this House.

With regard to the general tone of the honourable and

learned gentleman's speech—the vehemence of his declamation, his unqualified censure, and his attempts at sarcasm—I can, with perfect sincerity, assure the House and the honourable and learned gentleman that I entertain no sentiment bordering upon anger, nor any other feeling, save one, in which I am sure I carry with me the sympathy and concurrence of all those who entertain sound and enlightened views upon questions of this nature—a feeling of surprise and regret, at finding that honourable and learned gentleman, now, for the first time, launching forth his denunciations and invectives against principles and measures which have received the support of men the most intelligent and best informed, on both sides of this House, and throughout Europe.

Having said thus much, I leave the honourable and learned gentleman to the full enjoyment to be derived from the new lights that have so suddenly broken in upon him. I leave to him, and to his honourable friends around him, to settle, among themselves, the taunts, the sneers, and the sarcasms which he has heaped upon their heads, as the friends of those principles which are involved in the present discussion—principles which it has been their boast that they were the first to recommend, and of which they have uniformly been the most eager advocates in this House.

In whatever quarter the statements and arguments of the honourable member for Coventry may have originated, they are entitled to the serious and attentive consideration of the House; more especially if derived from individuals now suffering distress from want of employment, and who may have been led to believe, that that want of employment has been caused by measures which have been adopted by this House. This circumstance adds to the difficulty in which I am placed, in rising to address the House on the present occasion. In opposing the proposed inquiry, I feel that I

may be represented as insensible or indifferent to the sufferings of those on whose behalf it is called for.

Sir, the honourable and learned member for Lincoln has, indeed, given countenance to this unjust imputation. He has not only chosen to assert, that I am mistaken in my views—he has not scrupled to insinuate that I am without feeling for the distress now prevailing amongst the manufacturing classes. [Mr. Williams here denied that he had asserted any thing of the kind.] What then, Sir, did the honourable and learned gentleman mean by his quotation? To whom did he mean to apply the description of an "insensible and hard-hearted metaphysician, exceeding the devil in point of malignity?" I appeal to the judgment of the House, whether the language made use of by the honourable and learned gentleman, with reference to me, was not such as to point to the inference that I am that metaphysician—lost to every sentiment of humanity, and indifferent to every feeling beyond the successful enforcement of some favourite theory, at whatever cost of pain and suffering to particular bodies of my fellow-creatures? When the honourable and learned gentleman allows himself to talk of "hard-hearted metaphysicians, exceeding the devil in point of malignity," it is for him to reconcile such language with the general tenour of his sentiments on other occasions; to explain, as he best may, to those around him, whether they are included in that insinuation; and it is for me to meet that insinuation (as far as it was levelled at me), with those feelings of utter scorn with which I now repel it.

Still, Sir, it sits heavily on my mind, that any individual, or any body of individuals, should in any quarter be impressed with the notion, that I, or any of my right honourable colleagues, could be capable of that which has been imputed to us; and it is but perfectly natural that I

should feel anxious to show, that my own conduct, and that of my right honourable friends, has not been such as, in some quarters, it has been represented to be.

The honourable member for Coventry, and the honourable and learned member for Lincoln, have, by some strange perversion, argued the whole case as if I, and those who act with me, were hastily and prematurely pressing on some new, and, till this evening, unheard-of measure; as if we were attempting to enforce that measure by all the influence of Government; instead of which, we have proposed nothing, and are lying upon our oars, quietly waiting for the going into effect of an Act of Parliament, passed more than eighteen months ago, with the unanimous concurrence of this House, an Act which is now the law of the land, and of the enactments of which all the parties concerned were as fully apprised on the day when it first passed this House, as they can be at this moment.

In the view which I take of the speech of the honourable member for Coventry, of which I do not complain, and of the speech of the honourable and learned member for Lincoln, of which I do complain, the greater part of their arguments go to impugn those principles of commercial policy, which, under the sanction of Parliament, have now prevailed in this country for the last two or three years—a policy, which has for its object gradually to unfetter the commerce of the country, by the removal of those oppressive prohibitions and inconvenient restrictions which had previously existed; and to give every facility and encouragement, consistent with vested interests, to the extension of the skill, the capital, and the industry of the people of England.

This, then, being the real drift of the argument, especially brought forward by the honourable and learned gentleman, it is, with reference to a much greater question,

that I find myself called upon to consider the present motion. The point at issue is, not whether we shall grant the Committee, but whether we shall re-establish the prohibitory system? If we re-establish it in one instance, we shall very soon be called upon to do so in many others. If we once tread back our steps, we shall not be able, in this retrograde motion, to stop at that point from which we first set out. We must go further; and, ere long, we should have in this country a system of commerce, far more restrictive than that which was in force before the late changes. Anxious as I am to persevere in our present course, I say that, if we once depart from it, we must at least be consistent in our new career; and that, to be consistent, we must impose restrictions and prohibitions far beyond those which have been lately removed.

The present question, therefore, is not simply the motion before the House; but neither more nor less than, whether a restrictive or an enlarged system of commercial policy be the best for this country?

In order to come to a sound decision upon so important a subject, it behoves the House to look back a little to the course of events, and to bear in mind some of the occurrences which have materially contributed to those relaxations in the restrictive system, of which it is now the fashion to complain.

With this view, I must ask the permission of the House to call its attention to a petition presented to the House in the month of May 1820, a period which, like the present, was one of great difficulty and public distress. The petition is somewhat long; but I assure the House that those honourable members who may favour me with their attention, will be well rewarded by hearing sound principles laid down in the clearest language, not by philosophers and unbending theorists—not by visionaries and hard-hearted metaphy-

sicians, with the feelings of demons in their breasts—but by merchants and traders—men of the greatest practical experience in all that relates to commerce. This petition, Sir, is a document of no ordinary interest. The House will see how decidedly the petitioners maintain the principles upon which His Majesty's Government have acted; and, when I have done reading it, I am sure they will admit that those principles are therein expounded in words far more apt and forcible than any which I can command. The petition, as I have already said, is not the exposition of any speculative doctrine. It conveys to the House the deliberate judgment of the merchants and traders of the City of London, the result of their daily observation of the evils inflicted upon the country by the unnecessary restrictions imposed upon their industry and pursuits. The petition states—

"That foreign commerce is eminently conducive to the wealth and prosperity of the country, by enabling it to import the commodities for the production of which the soil, climate, capital, and industry of other countries are best calculated, and to export in payment those articles for which its own situation is better adapted.

"That freedom from restraint is calculated to give the utmost extension to foreign trade, and the best direction to the capital and industry of the country.

"That the maxim of buying in the cheapest market, and selling in the dearest, which regulates every merchant in his individual dealings, is strictly applicable, as the best rule for the trade of the whole nation.

"That a policy, founded on these principles, would render the commerce of the world an interchange of mutual advantages, and diffuse an increase of wealth and enjoyments among the inhabitants of each state.

"That, unfortunately a policy, the very reverse of this,

has been, and is more or less adopted and acted upon by the Government of this and of every other country; each trying to exclude the productions of other countries, with the specious and well-meant design of encouraging its own productions; thus inflicting on the bulk of its subjects, who are consumers, the necessity of submitting to privations in the quantity or quality of commodities; and thus rendering, what ought to be the source of mutual benefits, and of harmony among states, a constantly recurring occasion of jealousy and hostility.

"That the prevailing prejudices in favour of the protective or restrictive system may be traced to the erroneous supposition, that every importation of foreign commodities occasions a diminution or discouragement of our own productions to the same extent; whereas, it may be clearly shown, that although the particular description of production which could not stand against unrestrained foreign competition would be discouraged; yet, as no importation could be continued for any length of time without a corresponding exportation, direct or indirect, there would be an encouragement for the purpose of that exportation of some other production, to which our situation might be better suited; thus affording at least an equal, and probably a greater, and certainly a more beneficial employment to our own capital and labour."

I will not trouble the House with reading the whole of this valuable document. (Loud cries of "Read! read!") I will, then, Sir, read the whole, for it is a most valuable document; and, indeed, so it was thought at the time, for it is one of a few, if not the only one, which is given at length in the published reports of our proceedings.

"That of the numerous protective and prohibitory duties of our commercial code, it may be proved, that while all operate as a very heavy tax on the community at large,

very few are of any ultimate benefit to the classes in whose favour they were originally instituted, and none to the extent of the loss occasioned by them to other classes.

" That among the other evils of the restrictive or protective system, not the least is, that the artificial protection of one branch of industry, or source of protection against foreign competition, is set up as a ground of claim by other branches for similar protection; so that, if the reasoning upon which these restrictive or prohibitory regulations are founded were followed consistently, it would not stop short of excluding us from all foreign commerce whatsoever.

" And, the same strain of argument, which, with corresponding prohibitions and protective duties, should exclude us from foreign trade, might be brought forward to justify the re-enactment of restrictions upon the interchange of productions (unconnected with public revenue) among the kingdoms composing the Union, or among the counties of the same kingdom.

" That an investigation of the effects of the restrictive system at this time is peculiarly called for, as it may, in the opinion of the petitioners, lead to a strong presumption that the distress which now so generally prevails is considerably aggravated by that system; and that some relief may be obtained by the earliest practicable removal of such of the restraints, as may be shown to be most injurious to the capital and industry of the community, and to be attended with no compensating benefit to the public revenue.

" That a declaration against the anti-commercial principles of our restrictive system is of the more importance at the present juncture, inasmuch as, in several instances of recent occurrence, the merchants and manufacturers in foreign states have assailed their respective governments with applications for further protective or prohibitory duties and regulations, urging the example and authority of this

country, against which they are almost exclusively directed, as a sanction for the policy of such measures: and certainly, if the reasoning upon which our restrictions have been defended is worth any thing, it will apply in behalf of the regulations of foreign states against us; they insist upon our superiority in capital and machinery, as we do upon their comparative exemption from taxation, and with equal foundation.

"That nothing would more tend to counteract the commercial hostility of foreign states, than the adoption of a more enlightened and more conciliatory policy on the part of this country.

"That although, as a matter of mere diplomacy, it may sometimes answer to hold out the removal of particular prohibitions on high duties, as depending upon corresponding concessions by other states in our favour, it does not follow that we should maintain our restrictions in cases where the desired concessions on their part cannot be obtained; our restrictions would not be the less prejudicial to our own capital and industry, because other governments persisted in pursuing impolitic regulations.

"That, upon the whole, the most liberal would prove to be the most politic course on such occasions.

"That, independent of the direct benefit to be derived by this country on every occasion of such concession or relaxation, a great incidental object would be gained by the recognition of a sound principle or standard, to which all subsequent arrangements might be referred; and by the salutary influence which a promulgation of such just views, by the Legislature and by the nation at large, could not fail to have on the policy of other states.

"That in thus declaring, as the petitioners do, their conviction of the impolicy and injustice of the restrictive system, and in desiring every practical relaxation of it, they

have in view only such parts of it as are not connected, or are only subordinately so, with the public revenue; as long as the necessity for the present amount of revenue subsists, the petitioners cannot expect so important a branch of it as the Customs to be given up, nor to be materially diminished, unless some substitute less objectionable be suggested; but it is against every restrictive regulation of trade not essential to the revenue, against all duties merely protective from foreign competition, and against the excess of such duties as are partly for the purpose of revenue, and partly for that of protection, that the prayer of the present petition is respectfully submitted to the wisdom of Parliament; the petitioners therefore humbly pray, that the House will be pleased to take the subject into consideration, and to adopt such measures as may be calculated to give greater freedom to foreign commerce, and thereby to increase the resources of the state."

It will be clear to all who have been at the trouble to attend to the very able document which I have just read, that it embraces all the great principles of commercial policy, upon which Parliament has since legislated.

Why do I lay so much stress upon this petition? For the purpose of showing, first, that if the Government have pursued this course, we have done so, not on the recommendations of visionaries and theorists, but of practical men of business: secondly, that the merchants of the city of London—the great mart of the commerce and wealth of the country—felt convinced, in 1820, that the distress of that period was greatly aggravated by the narrow and short-sighted system of restrictions and prohibitions which then prevailed; and that, in their judgment, the alleviation, if not the cure of that distress, was to be sought for in the removal of those restrictions and prohibitions.

And, because we have followed up, cautiously and cir-

cumspectly, the recommendations of the mercantile community, are we to be told, by men who know nothing of commerce, that we are unfeeling projectors and metaphysicians, insensible to the wants and the miseries of our fellow-creatures? If this be a just charge against us, what are we to think of the parties who could sign, or of the member who could present, such a petition as this? This morning I took the trouble to look at the names of the merchants who signed it; and the first signature I read is that of one of the most distinguished of that class in the city of London; a gentleman who was many years ago Governor of the Bank of England, who is now one of the Directors of that establishment, and who was, for a long time, a valuable member of this House; a gentleman, who, in the best sense of the word, is a practical man, and one whose conduct in private life would protect him (if any man can be protected by his conduct) from the suspicion of being a "wild and unfeeling theorist"—a "hard-hearted metaphysician"—"alike indifferent to the wants and the miseries of his fellow-creatures"—I mean Mr. Samuel Thornton. And, besides his name, the list contains the names of others, who, like him, have been Governors of the Bank of England; of several who are now in the direction of that great establishment; and of many who hold the highest rank in the commercial world.

Let it not, however, be supposed, that I offer this petition to the House, in the way of an apology for myself and my right honourable colleagues—in the way of extenuation of any thing which we may have done, to excite the wrath of the honourable and learned member for Lincoln. Sir, I think now, as I have always thought, that our measures require no apology. I believe now, as I have always believed, that they are calculated to promote the best interests of the people. I say now, as I have always said, that those who, either by their speeches in Parliament, or the exer-

tions of their talents out of it, have contributed to bring the people of England to look with an eye of favour on the principles recommended in this petition, have done themselves the greatest honour, and the country an essential benefit.

If, however, I refrain from troubling the House with apologies, where I feel that they are not required, neither do I wish to claim for His Majesty's Government any participation in the merit of these measures, beyond what really belongs to us. By a reference to many other petitions and proceedings of a like nature with those to which I have already adverted, I could show that, in all these matters, the first impulse was not given by the Government. We claim for ourselves no such credit. The changes hitherto made have been the result of public opinion, sanctioned by the concurrence of practical men, and confirmed by the proceedings and inquiries of the two Houses of Parliament. We did not create that opinion: we did not anticipate it: we did not even act upon it, until it was clearly and distinctly manifested. And, in what we have done, we have not exceeded the sober limits, prescribed by the authority of those, who, by the habits and pursuits of their lives, were most competent to form a sound judgment. But, when that judgment was pronounced and recorded, it was our duty to act upon it. From those who fill responsible situations, the country has a right to expect, not that they should be slow of conviction to important truths in matters of political economy; but that they should be cautious in deliberating, before they attempt to give them a practical application. The goad which is used to give increased impetus to the machine, is an instrument more properly placed in other hands: the care of Government should rather be to regulate the drag, so as not to check the

advance, but to maintain a safe and steady progress towards improvement.

Has this been the principle of our policy on the subject now under consideration? Before I sit down, I think I shall prove, Sir, that the system upon which His Majesty's Government have acted, has uniformly been guided by that principle. Need I remind the House, how frequently, and with what asperity, we have been charged, from the opposite benches, with reluctance and tardiness in carrying into execution those principles of an enlarged and enlightened policy, in matters of commerce, upon which all parties were said to be agreed. Year after year, have we been urged, by the force of public opinion out of doors, and by the earnest remonstrances of honourable members within, to adopt the very measures against which a senseless clamour is now attempted to be excited.

Who were the first, and the most earnest, in suggesting these measures—aye, and in wishing to push them to extremes—but some of those very persons whom we now find arrayed against us, and against those principles which they formerly supported? By whom was the petition which I have just read to the House presented? By whom was the prayer of it advocated?

After great note of preparation—after a formal notice of what was about to come—this petition, Sir, was brought down, on the 8th of May, 1820, by the honourable member for Taunton (Mr. Baring), whom I now see in his place. He it was, Sir, who introduced it to the attention of the House, in a long, but able and elaborate speech; too long to be read by me now, as I have read the petition; although by so doing, I should add a most luminous commentary in support of the doctrines of that petition, and should best show, by what force of argument and weight of authority,

the honourable member then contended for those measures which the House is now called upon to condemn, and in which condemnation he himself appears disposed to concur.

After mentioning the petition, and the great respectability of the gentlemen by whom it was signed; and after regretting that "there was in the then circumstances of public embarrassment much to which no remedy could be applied, at least, no Parliamentary remedy," the honourable gentleman went on to say, that "the first desideratum was such security and tranquillity in the country, as would enable the possessor of capital to employ it without apprehension."

The House will recollect, that the period at which this petition was laid upon our table, was one of great public distress;. and, in that respect, it but too much resembled the present time. Now, however, though the country is again visited with pecuniary pressure, and though the labouring classes (many of them) are suffering great privations from the want of employment, I feel confident that we shall not witness the same danger to property, or the same disposition to violence, which at that time prevailed in the manufacturing districts. I feel confident, that the unfortunate individuals, who, in 1820, allowed themselves to be misled by unprincipled agitators, will recollect how much their sufferings were increased by listening to pernicious counsels—counsels which may prolong and aggravate, but which can, in no case, abridge or relieve their privations—and that they will not, a second time, lend a willing ear to those who would lead them on to their destruction. I trust they will so conduct themselves under their present difficulties, as to conciliate the regard and sympathy of every other class, and to excite in the bosoms of those, from whom alone they can expect assistance, no other feelings than those of kindness and benevolence.

Sir, after "security and tranquillity," the honourable member for Taunton proceeded to say, that "the second desideratum was, as great a freedom of trade as was compatible with other and important considerations." In the opinion of the honourable member, at that time, a free trade was the very essence of commercial prosperity; and, therefore, he pressed us to adopt, all at once, the system which we have since gradually introduced.

The honourable member then proceeded—as he has since done, upon several occasions, and done, indeed, this session—to tax my right honourable friend, the Chancellor of the Exchequer (who then filled the situation which I now hold), and the other members of His Majesty's Government, with apathy, and a total indifference to the distressed state of the manufacturing districts. "So far were they," said the honourable member, "from being sensible of the necessity of some exertion, that they went on, from year to year, trusting that the next year would be spontaneously productive of some favourable change, and, apparently, with very indistinct notions of what the real condition of the country was. Whenever a question arose between two classes of the community, Government, without seeming to have any opinion of their own, stood by, until they ascertained which party could give them the most effectual support. If the House looked back to an earlier period of those which were still our own times, they would behold a different picture; they would find Mr. Pitt engaged in framing a commercial treaty; and, amidst difficulties of every description, boldly taking whatever steps appeared to him to be the best calculated to advance our commercial prosperity. He wished that he could see a little of the same spirit in the present day; but, instead of that, His Majesty's Ministers were balancing one party against another, and trying how they could keep their places from

year to year; neglecting, in the mean while, all those great commercial and national questions to which their most lively attention ought to be directed."

The honourable member for Taunton then went on to say—and I perfectly agree with him—that "the first doctrine which the petitioners wished to combat, was that fallacious one which had, of late years, arisen, that this country ought to subsist on its own produce; that it was wise, on the part of every country, to raise within itself the produce requisite for its consumption."—"It was really absurd to contend," continued the honourable member, "that if a country, by selling any article of manufacture, could purchase the produce which it might require, at one half the expense at which that produce could be raised, it should nevertheless be precluded from doing so."

This is unquestionably sound doctrine, and I readily admit it. But, how is it to be reconciled with the doctrine which is now maintained by great authorities out of doors, as that which ought to be the rule of our commercial policy? According to these authorities, to which we have now to add that of the honourable and learned seconder of the present motion, prohibition is the only effectual protection to trade:—duties must be unavailing for this purpose, because the influence of soil and climate, the price of labour, the rate of taxation, and other circumstances, are constantly varying in different countries, and consequently, the scale of protection would require to be varied from month to month. But, what is the legitimate inference to be drawn from this exclusive system? Can it be other than this—that all interchange of their respective commodities, between different countries of the world, is a source of evil to the one or the other?—that each country must shut itself up within itself, making the most of its own resources, refusing all commerce with any other country, barbarously

content to suffer wants which this commerce might easily supply, and to waste its own superfluous productions at home; because, to exchange them for the superfluities of that other country, instead of being an exclusive advantage to either party, would afford an equivalent benefit to both. This is the short theory of prohibitions, which these sage declaimers against all theory are so anxious to recommend to the practical merchants of this country.

But, if this system be wise and just in itself; if, for the reasons alleged in its support, it be necessary for the protection of British industry, let us see to what it leads. Can this country command labour on the same terms as Ireland? Is the scale of taxation the same? Are the poor rates the same in the two countries? Is there any country in Europe which, more than Ireland, differs from Great Britain in these and many other particulars, affecting their commercial relations? Does it not follow, that, if we admit the system of prohibitions now recommended to us by the honourable and learned member for Lincoln, we must prohibit all commercial intercourse with Ireland—we must revive those laws which forbade the manufactures, and repelled the productions of her soil—we must sacrifice the mutual benefits which both parts of the empire now derive from the unrestricted freedom of intercourse—we must again revert to the prejudices of our ancestors?

And for what?—because, from prejudices certainly less pardonable, if not from motives less sincere, than those of our ancestors, a senseless clamour has recently been raised against the present system of our commercial policy. I have no desire to disturb the partizans of the opposite system in the enjoyment of their favourite theory. All I ask of them is, a similar forbearance towards us. Let each system be fully and fairly tried. For the sake of freedom of trade and industry, and for the sake of England, let

England be the field of trial for our system. For the sake of prohibition and monopoly, let the system of our adversaries also be fairly tried; only let the trial be made upon some other country.

But, can prohibition ever be tried under circumstances of greater favour than it now experiences in Spain? In that flourishing country, prohibition has been carried to the very extreme. There, restriction has been added to restriction—there, all the fruits of that beautiful system are to be seen, not yet, perhaps, in full maturity, but sufficiently mature to enable every one to judge of their qualities. Spain is the best sample of the prohibitory system, the most perfect model of fallen greatness and of internal misery, of which modern civilization affords an example—an example to be traced, not only in the annihilation of her commerce and maritime power, but in her scanty revenue, in her bankrupt resources, in the wretchedness of her population, and in her utter insignificance among the great powers of the world. The commercial policy of Spain is simply this—to admit nothing from other countries, except what the smuggler brings in; and the commercial wisdom of the honourable and learned seconder of the present motion is equal to that of Spain.

I must now beg of the House to indulge me for a little, while I endeavour to go through the detail of the specific measures recommended in the speech of the honourable member for Taunton, on presenting the London petition. It will be perceived, how false and unfounded are all those clamours which have been heaped upon me and my right honourable colleagues, for having unnecessarily made those alterations in our system of commercial policy, which, if I am to believe certain gentlemen, have plunged this country into misery and ruin.

The honourable member for Taunton, who is so great a practical authority—the greatest, perhaps, this country affords—did not content himself in this speech with stating general principles. He referred to details; and, as I have just observed, he proposed measures of relief of a specific and particular nature. These propositions the House, I hope, will permit me to go over, one by one, in order to show that His Majesty's Government have not been wanting in attention to the suggestions of the merchants of the City of London, nor backward in adopting their remedies, and recommending them to the consideration of the House.

[The right honourable gentleman proceeded to take a review of the measure which had been introduced agreeably to the warm recommendations of the honourable member for Taunton—and in conformity with the principles expressed in the petitions of the merchants of London and other commercial communities. These measures consisted of an alteration in the duty on the importation of wool; a general revision of the Revenue Laws, with a view to their simplification;—the doing away with prohibitions altogether, and the substitution in all cases, protecting for prohibitory duties. In the commentary with which the right honourable gentleman accompanied the discussion of this topic, he referred particularly to the question of the silk trade then before the House, with a view of showing that the present stagnation in the silk trade was more produced by late alterations in the trade than by any effect in the law which was to come into operation next July. He next proceeded to exhibit the policy of the measures recommended by the same high authorities as the preceding ones, for the removal of the transit duties on German linens, and for the revision of the whole system of drawbacks and bounties; the alteration

in our commercial regulations with respect to France; and lastly, the extension of our trade with British India. After having demonstrated in a most masterly exposition of the commercial resources of this and other countries, the policy of those measures, and their opportune application to the interests of Great Britain in its present relations with the nations of Europe and of the rest of the world, the right honourable gentleman proceeded.]

These are the principal improvements which were urged on the Government of the country, in the year 1820, by the honourable member for Taunton; speaking—be it always remembered—in the name and on the behalf of the merchants of London. To all of these suggestions, I say, His Majesty's Ministers have attended. My right honourable friend, the Chancellor of the Exchequer, who then filled the situation which I now hold, replied to the speech of the honourable member on that occasion. He repelled the accusation of the honourable member, that the Government were insensible to the sufferings of the people. He avowed his desire to proceed in the course that was recommended; but he, at the same time, represented the difficulties by which his endeavours had, till then, been opposed. Did the honourable member acknowledge himself satisfied with the assurance and explanation of my right honourable friend? By no means, Sir.

So eager was the honourable member for Taunton for the immediate enforcement of these important changes, that he concluded his reply to my right honourable friend in the following terms:—"As to the petition itself, the principles which it contained had met with so unanimous a support, that he wondered whence that opposition could come, by which the right honourable the President of the Board of Trade seemed to be deterred from attempting any reform

of our commercial system; and he could not help expressing a hope that, for the future, that right honourable gentleman would not listen entirely to the suggestions of others, but, in treating the subject, would rely on his own excellent understanding."

With this admonition the debate closed. The recommendations of the honourable member—the great authorities from which they originated—convinced the Government that the time was come when they might go forward with measures to which they had long before avowed a friendly disposition. The consequence was, a determination on their part, to institute an inquiry before a committee of this House, in order to ascertain how far, and by what course of proceeding, the steps recommended, and any others founded upon the same principles, could be acted upon for the general improvement of the commerce of the country.

In the other House of Parliament, a committee was sitting, whose labours were directed to the same object. This committee had been appointed upon the motion of a noble marquis (the Marquis of Lansdowne); who had, at all times, taken the liveliest interest in whatever relates to the trade and commerce of the country; and whose principles, in these matters, unlike to the *grasshopper* on the Royal Exchange, do not veer about with every change of the wind, or with every fluctuation in the speculations of those who transact business in that Exchange.

One of the subjects which particularly engaged the attention of the noble marquis, and of the committee over which he presided, was the state of the silk trade. They heard evidence; they called for papers; and they examined witnesses from every quarter. What was the result of their investigation? Why, Sir, they state in their report, that "it appears to the committee, that there are no bounds to

smuggling under the prohibitive system; and that, in the opinion of the committee, protecting duties might advantageously be substituted for prohibitive ones."

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My right honourable friend, the Chancellor of the Exchequer, having, on the 23d of February, 1824, stated generally to the House, what it was our intention to do respecting the silk trade, it fell to my lot, on the 8th of March, to open the measure more in detail. Then it was that I heard, for the first time, of the serious opposition which the proposed measure would receive from the honourable member for Taunton. Then it was, that, seconded by the honourable member for Coventry, who opened the debate of this evening, he declared, that, by the end of the two years, which I proposed to allow before the prohibition should finally cease, the silk trade would be destroyed.

This delay I now consider to have been the greatest error that was then committed, and the origin of our present difficulty, as far as this trade is concerned. "Those," said the honourable member for Taunton, "who propose this new plan, are completely ruining the silk manufacture of England. The moment this plan is promulgated, the great object of all who have capitals embarked in the manufacture will be, to disentangle those capitals; and those who have no capital, except their labour, will be left to struggle for themselves, and probably to perish, for want of employment."

Such, in 1824, were the gloomy forebodings of the honourable member for Taunton. Experience has made me rather obdurate to all such prophecies; for, so many are daily made by individuals whose fears are excited, or who, when they suppose their particular interests to be at stake, attempt to excite fear in others, that I must have

abandoned every measure which I have brought forward for improving our commercial policy, had I allowed myself to be acted upon by such forebodings.

Last year, for instance, I received representations from the iron trade—day after day, and month after month: but, I could not share in their alarms. I must state this, however, with one exception. There exists in this country one considerable establishment, in which iron is smelted by charcoal in great perfection, but at a heavy expense. This iron is held in equal estimation with the best from Sweden; but, there was reason to apprehend, that it could not, under the reduced duty, maintain itself in competition with the latter. The establishment in question belongs to a most respectable and scientific gentleman, well known to many members of this House,—Dr. Ainslie. Having heard his statement, I told him that, although I could not alter a general measure to meet one particular case, I would endeavour to devise some other mode of relief, if he should be overwhelmed by the competition.

And, what does the House think has been the result? Sir, within the last fortnight, that respectable individual has sent me word, through an honourable member of this House, not only that his fears have not been realised, but that my most sanguine hopes had been confirmed—that his trade, in fact, had in no degree suffered by those very measures which he apprehended would have been fatal to it; and that it was, upon the whole, in a very flourishing state.

Let us now see how far the predictions of the honourable member for Taunton, and the honourable member for Coventry, have been realised. These predictions were, that the Silk Trade would be annihilated, in the course of the two years allowed to the manufacturers to prepare for the change.

The bill passed this House in the spring of 1824; and, during the rest of that year, the silk trade went on flourishing and increasing, in the face of this threatened annihilation. In the spring of 1825, there prevailed a degree of excitement—a spirit of speculation—an extension of demand in this manufacture—to a greater degree than had ever been witnessed before in almost any branch of trade. It was in 1825 that so many new factories were erected; so many new mills set at work; so many new looms occupied. The old mills were not sufficient; many new ones were raised: the erection of each of which, I am assured, did not cost less than from £10,000 to £15,000: and several of these new mills have not even yet been roofed in.

Thus, at the very time when, to satisfy the prediction of the honourable member for Taunton, this trade should have been in a state of rapid decline, the manufacturers were building to an excess that had never been equalled in the periods of their greatest prosperity.

The honourable and learned member for Lincoln has alluded to the present condition of the town of Macclesfield. I know what misfortunes and bankruptcies have occurred there; and I feel the deepest and most undissembled sorrow for the sufferings of that population. I am aware of their distressed state at this moment. But, I cannot help thinking, that the honourable and learned member, in stating their situation, should also have stated some of the circumstances which have aggravated, if not created, their present difficulties; for, certain it is, that the spirit of speculation has, in that town, been carried to the greatest extravagance. According to the last census in 1821, the whole population of Macclesfield amounted to 17,746 souls. Now, I will suppose that, between that year and the year 1825, it increased to 20,000. What then, in that year, was the demand for additional labour, in the silk manufacture alone,

of that town? I have seen, and many other gentlemen have no doubt seen, in a Macclesfield newspaper of the 19th of February, 1825, the following advertisement:—"To overseers, guardians of the poor, and families desirous of settling in Macclesfield. Wanted immediately, from four to five thousand persons." The House may well express their surprise; but, I beseech their attention to the description of persons required by this advertisement—"from seven to twenty years of age"—so that the silk manufacturers were content to receive children of the tender age of only seven years—"to be employed in the throwing and manufacturing of silk. The great increase of the trade having caused a great scarcity of workmen, it is suggested, that this is a most favourable opportunity for persons with large families, and overseers who wish to put out children —[children of *seven* years of age!]—as apprentices, to ensure them a comfortable livelihood. Application to be made, if by letter, post paid, to the printer of this paper."

Humanity is not the least remarkable part of this precious document; and the House will not fail to observe, how admirably the cruelty of confining children of *seven* years of age, to labour in a silk mill, for twelve or fifteen hours out of the four-and-twenty, is tempered, by the inducement to parents to provide for their families for life. What sort of provision that has been, the present wretched state of those helpless infants will best evince. And here I cannot help observing, that, at the very time such an invitation was sent forth to overseers and parents, by the owners of silk mills, this House was very properly occupied in passing a bill, to prevent the employment of children under *nine* years of age in cotton factories.

Very soon after this advertisement, and before the mills were finished, in which these children were to be immured, there appeared, I have been assured, another advertisement,

nearly in the same extravagant style:—"Wanted to be built immediately, *one thousand* houses!"—doubtless, to contain the five thousand new inhabitants.

Yet, all this took place in the year 1825; just one year, according to the honourable member for Taunton, before the silk trade was to expire for ever. I ask, then, what weight can be given to the predictions of those, who, in the face of these striking facts, continue to assert that the silk trade of this country will be annihilated before the end of the next twelve months? Can any man wonder, after such an enormous extent of speculation—after such inhuman efforts to induce so many destitute children to flock into the manufactories—after such an influx of population—can any man, I say, wonder—all branches of this trade being now in a stagnant state—at most of these new comers being out of work at Macclesfield—or, at the fact stated by the honourable and learned member for Lincoln—his hair almost standing on end with horror—"that eleven orders for the removal of as many paupers, had been made out in one week?"

Under ordinary circumstances, it could scarcely have been expected that the silk manufacturer alone could have formed an exception to the general re-action, which has followed over-trading and speculation, in every other branch of commerce; but, under the circumstances of peculiar excitement, which I have now stated, it would, indeed, have been matter of surprise, had it escaped its full share of the common pressure.

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I have called for the production of a paper, which has not yet been printed, but which will, I hope, in the course of twenty-four hours, be in the hands of every honourable member—for the purpose of showing, what have been, during the last year, the actual imports of most of the principal

articles, the duty on which has been materially reduced. From this document, it will be manifest, that, although there has been some increase of import in most of those articles, in none has it been carried to any great extent. In manufactured goods,—cottons, woollens, linens, &c. the increased import of the whole does not exceed a few thousand pounds. And yet, in opposition to this decisive evidence, there are those, I understand, who have had dealings for millions in foreign loans, who, to facilitate the payments of these loans and other financial operations of foreign Governments, have sent million after million of our gold coin, drawn from the Bank of England, to the Bank of Paris; and who, in the face of such gigantic operations—the benefit of which to this country (whatever it may be to themselves) it is difficult to conceive—have been pleased to attribute the unfavourable state of the foreign exchanges, during the last summer and autumn, to the commercial measures adopted by Parliament in the preceding session.

I am happy to say, that where the duties have been lowered upon articles of consumption, the result has hitherto fully borne me out in all my anticipations. In the six months which immediately followed the reduction of the duty on coffee, the consumption of that article has nearly doubled, without occasioning any decrease in the consumption of tea. In wine, the duty upon which, we were told, ought not to have been reduced, without some reciprocity to the productions of this country, the consumption has also increased in an equal degree. And thus it will appear, that the same amount of revenue has been attained by the Government from diminished burthens; thereby leaving greater means of comfort and enjoyment to the people.

I come now to the real gist of the silk question; and which—I say it with all due deference to the honourable mover and seconder of the present motion—has not

been, in the slightest degree, touched upon by either of them.

It is admitted, on all hands, that silk is an article which can be easily smuggled; and, that it is now smuggled, to a very considerable extent, in spite of all the preventive measures that have, from time to time, been adopted. Now, the object of the British manufacturer is, as much as possible, to shut out the competition of his foreign rival. If smuggling could be prevented, I would concede to him, that prohibition would be most effectual to this object. But, if it cannot, what is the advantage of prohibition over a protecting duty of thirty per cent.? I say, of thirty per cent., because, I never yet conversed with a single merchant or manufacturer, who did not admit, that if a higher protecting duty were imposed, the supply of foreign silk goods would be thrown into the hands of the smuggler.

The question, then, looking at it practically, is this:—in what degree is prohibition better, as against smuggling, than a well-regulated duty?—by which I mean, a duty sufficient to protect the British manufacturer, without being so high as to afford a premium to the smuggler.

In the first place, it cannot be denied, that the feelings of mankind are more likely to restrain them from committing a fraud, than from violating a custom-house prohibition. I am sure it will be conceded to me, that many honourable persons, who would not, for any temptation, be parties to a contrivance to evade a tax, and thereby to rob the public revenue, would feel very little scruple in wearing an article that is absolutely prohibited, and the introduction of which is not in opposition to any moral duty.

So far, then, the argument in support of the assertion, that a prohibitory law is the best check upon smuggling, makes directly the other way, and is in favour of protecting duties.

But the great, indeed the only argument, in favour of prohibition, in preference to a protecting duty, is this—that after the forbidden goods have been landed in this country, and when they are in the possession of individuals, even for their own use or consumption, you may follow them into private dwellings, nay, into the very pockets of the wearers, and seize them upon their persons, in the King's name, at the bare suggestion of any common informer.

To what does this power of seizing and examining all who may be suspected of possessing prohibited articles amount? Sir, it amounts to this—that if any man—no matter what may be his rank, be he the humblest peasant, or the highest peer in the realm—be suspected of wearing, or possessing, a silk handkerchief of foreign manufacture, he is liable to have it taken from his neck or his pocket, and to have his house ransacked, from the garret to the cellar, in quest of contraband articles. If, without such a subsidiary regulation as this — a regulation which encourages the worst passions, engenders the most appalling perjury and crime, and which opens so wide a door either to fraud and collusion, or to intimidation and personal violence —prohibition cannot be sustained; then, Sir, I say, in preference to such a system, let us, in God's name, have a well-regulated duty.

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But, appeals have been made to our compassion; and our feelings have been alarmed by the statement, that above 500,000 individuals are at present engaged in the silk trade, and that ruin must inevitably be entailed on this large and meritorious class of the community, if the old law be not restored.

Now, supposing the number of persons employed in the silk manufacture to amount to 500,000—their wages, I

assume, cannot be less, one with another, than 10s. a week for each person. I have been told, indeed, that a considerable portion of this number are children, some of whom do not receive more than 1s. 6d. a week; and, for this pittance, the hours of work in the mills, when the trade was brisk, I have been assured, were, from five in the morning till eight or nine at night.

If this be so, let us not talk of the difference in the expense of labour between this country and France. Will it be said, that a French child cannot earn in the silk manufactory one shilling and sixpence a week; and that without working from fourteen to fifteen hours out of the four-and-twenty? Certainly not. Supposing, however, the average earnings of these 500,000 persons—(an exaggerated number, I am convinced)—to be ten shillings a-week, thirteen millions of money would then be the annual amount of wages alone in this manufacture. To this are to be added, the interest on capital, and the price of the raw material: so that, the value of the goods sold could not be less than eighteen or twenty millions sterling. This, however, I consider too high a calculation. The Lords' Report estimates the whole amount at only ten millions; but, allowing for increased consumption since 1821, it may, perhaps, be fairly rated at twelve or fourteen millions, exclusive of the quantity smuggled in from the Continent.

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At the time of the great bullion controversy, in 1810-1811, the main question in dispute turned upon what was the real standard of our money? We wild theorists said, as our simple forefathers had always said before us, that the standard was, and could be, nothing else than the weight and fineness of the gold or silver in the coin of the realm, according to the commands of the Sovereign, specified in the indentures of the Mint. Had this definition

been admitted by the practical men, there would at once have been an end of the contested point—whether our then currency was or was not depreciated? But, for that very reason, the definition was denied by all who maintained the negative of that question. More than a hundred pamphlets were published on that side, containing as many different definitions of the standard. Fifteen of these definitions, most in vogue at the time, I have since retained, as a curiosity to laugh at: but they may now, perhaps, be turned to a more valuable purpose. Of that number I only recollect three at this moment. The first defined the standard to be, "the abstract pound sterling." This had great success, till another practical writer proved, that the standard was the "ideal unit." These two practical standards were, however, finally superseded by a third, of which the definition was, "a sense of value in currency (paper), in reference to commodities." This last standard was at once so perfectly tangible, and clearly intelligible, that I consider it as the parent of the famous resolution of this House, by which the question was to be finally set at rest.

Now, if I should take with me to Laputa this little, but invaluable collection of definitions, I have not the slightest doubt, that my pretensions to have the whole monetary system of that island placed under my direction—to be Master of the Mint—Governor of the Bank—and Superintendant of all the Country Banks—would be immediately and generally admitted. It is true, we have had no authentic account of the progress of political science, in that celebrated island, for about a century past; but, it is scarcely to be imagined, that it can have been so rapid, as to enable their greatest philosophers to challenge the pre-eminence of these definitions, on the score of abstraction, metaphysics, and absurdity: and, at any rate, if

the philosophers should cabal against me, the practical men could not fail to be on my side.

I am not aware, Sir, that I have omitted to notice any of the objections which have been urged against the important changes lately made by Parliament in our commercial system. That these changes are extensive as well as important, I readily admit. Whether they will work ultimately, for good or for evil, it becomes not fallible man to pronounce an over peremptory opinion. That the expectation of those who proposed them was, that they would work for good, no man will do us the injustice to deny. That, up to this hour, I am fortified in that expectation, by the deductions of reason in my own mind, by the authority of all who are most competent to form a dispassionate opinion upon the subject, by the beneficial result of every thing which has hitherto been done, for giving greater freedom to commerce in this country, and by the experience of the opposite effect which vexatious and unnecessary restraints are daily producing in other countries—is what I can most solemnly affirm.

I make this declaration, I can assure you, Sir, in all sincerity of heart, and, as far as I know myself, without any mixture of false pride, or any mistaken feeling of obstinate adherence to consistency. I am the more anxious to make this declaration, in the face of the House, and of the world, because, of late, I have been assailed, and distressed, I will own, by ungenerous appeals to my feelings, calling upon me to commune with my conscience and my God, and to say, whether I am under no visitations of compunction and remorse, at having thrown so many persons out of bread, in the trial of a rash experiment, and in the pursuit of a hollow theory. Good God! Sir, that man must have a heart of stone, who can witness without sympathy and the greatest pain, the distress which now unfortunately exists

in most of our other great manufactures, as well as in that of silk. But, whilst I hope that I am not wanting in the duties and feelings of a man, I have also a duty to perform as a Minister. If immediate relief be, in a great degree, out of our power, it the more becomes us, as the guardians of all that is most valuable in civilized society, to trace the causes of the present calamities, and to prevent, if possible, their recurrence. It is on this principle that I am anxious to put an end to a system of currency which leads to ruinous fluctuations in trade, and in the price of all commodities: which, whether in excitement or depression, is alike undermining the sober habits, and the moral feelings of the community; which confounds honest industry with unprincipled gambling; which injures the poor man in the earnings of his labour, and takes from the rich man all security in his property—a system which creates delusive hopes, only to terminate in aggravated disappointments—of which every succeeding convulsion must add to our inability to bear it—and of which the inevitable tendency is, to drive capital and industry to other countries: not in Europe only, but even across the Atlantic. The growing dread of instability here, the growing assurance of increased stability in those countries, would ultimately produce this transfer; and, with it, the further transfer of the rank and power which England has hitherto maintained among the nations of the world.

If I have ventured to intrude upon the House by any allusion to my personal feelings, they will, I trust, make some allowances for the provocation which I have received. This is the only place in which I can properly reply to the unmanly appeals which have been made to me through other channels. Such appeals, however painful to receive, have no influence on my conduct; neither can they detract from the sanguine hope which I entertain of better prospects

and increased happiness for my country. I hailed with great delight, the other evening, the assurance of the right honourable member for Knaresborough, (Mr. Tierney) that he saw nothing in our present difficulties to create despondency or alarm. In this sentiment I most entirely concur. The existing pressure may, for a short time, bear heavily upon the springs of our prosperity; but if we pursue a temperate course, there is nothing to fear, and every thing to hope for our future progress. With confidence I cling to that cheering hope; and without looking forward to a long life, I trust that I shall witness its realization.

Whether in a public station or in retirement, my greatest happiness will be to feel assured, that the power and resources of this country have been increased, by those measures of commercial policy which it has fallen to my lot to submit to Parliament.

That such will be their ultimate result, is my firm and conscientious conviction; and, in that conviction, I claim for those measures the continued support of this House.

[The right honourable gentleman resumed his seat amidst the most enthusiastic cheers, which were continued for some minutes from all parts of the House.]

Mr. Secretary Canning rose, amidst cries of "Question!" but was loudly cheered as he presented himself to the House. He proceeded nearly as follows:—

Sir—After the direct appeal made to me by the honourable member for Coventry; after the appeal also made to me by another honourable member (Mr. J. Williams), I do feel it necessary, before the debate closes, to state to the House

fairly, and as shortly as I can, the views and opinions which I entertain upon the present question. On the one hand, I am sure the House will believe that I cannot feel disposed to enter at large into a subject which has been already so fully discussed, and has, I may say, been disposed of so much to the satisfaction of this House and the country—to the satisfaction, at least, of those who had before approved of the principles on which His Majesty's Government have acted, and to the conviction of others, who, doubting the soundness of those principles, found their doubts set at rest by the powerful and unanswerable speech of my right honourable friend. As, I say, the House, on the one hand, will not suspect me of having the bad taste, after his luminous exposition, to intrude on their time, by discussing the whole of this vast subject; on the other hand, it would feel that I did not do my duty by the House, by the country, or by my right honourable friend, if, leaving to him the whole weight of the debate, I omitted to claim for myself a full participation in the responsibility incurred by the introduction of those measures which he has so successfully explained and defended. It is for this purpose, then, that I now present myself to the House; and I do so because I have witnessed for the last six months—I might, perhaps, say during a longer period, but principally for the last six months—the diligent, the systematic attacks made upon the plans and mea-

sures, as well as upon the public character, of my right honourable friend; attacks made, no doubt, with the cherished hope that they would prve injurious to his fame, and subversive of the sound commercial principles which he has so long and so anxiously exerted himself to introduce and establish.

I agree with the honourable gentleman who has spoken to-night for the first time, and spoken in a manner which gives promise of the ability with which he will hereafter fill the station to which he has been called; I agree with him, that if there were any prospect that, by consenting to go into the committee for which the honourable gentleman has moved, any thing could be done to sooth the feelings, or to relieve the distress of those on whose behalf the committee has been required—or if it were merely a neutral measure —a measure in which Parliament might innocently indulge the petitioners—or one calculated, perhaps, to give satisfaction to a few, though without benefit to any—I would even now forego my opposition to it. But it is because I feel that we shall practise a delusion upon the petitioners, at the expence of the interests of the country, if we were to hold out a hope, an expectation, of altering—nay, even if we were to utter a doubt of our determination to persevere in that course, which, after the most serious deliberation, Parliament, in its wisdom, resolved to pursue. What,

I will ask, would be the effect of our going into the proposed committee? The question, let it be beaten out into as many shapes as you please, is simply this:—would a prohibition of foreign silks protect our trade as well as a moderate duty, such as that proposed by my right honourable friend? I will not fatigue the House by an unnecessary repetition of the arguments which have proved the negative of this proposition; but, to my mind, it is clear that a law of prohibition would fail as a measure of protection, while it would re-introduce in our system those vicious principles which we have found such difficulty in expelling from it. The evil which we have put down would re-appear, and, like a noisome weed, rapidly increase in growth, till it overspreads the whole soil of our commercial industry.

But, Sir, this is not the point upon which I felt myself most immediately called upon to answer the appeal of honourable members—this is not the point upon which I feel called upon by my public duty to express my sentiments. It cannot be denied, Sir, that, under cover of the measure which the honourable gentleman opposite (Mr. Ellice) has thought proper to bring forward—and that he has brought it forward in the sincerity of his heart, and with the view solely to the relief of the sufferers whose cause he advocated, the House must feel convinced—but it cannot be denied that, under cover of that motion, an opportunity has

been taken, not by the honourable member, but by others, to attack the commercial regulations now in progress; measures more seriously deliberated upon, and introduced with the more universal consent of all those whose judgments were likely to be best enlightened on such matters, than any other acts of our public policy within my recollection.

The honourable gentleman who introduced the motion was of opinion, that it was advisable to adopt a sound and settled system of commercial policy. But the honourable and learned gentleman who seconded the motion (Mr. J. Williams), addressed you with a very different feeling, and in a very different spirit. That honourable and learned member, departing from those professional topics, in descanting upon which he had so often arrested the attention of the House, disported himself upon this, to him novel subject, certainly with all the confidence of a novice, but at the same time in a manner which evinced a total incapability of using his weapons, as he was wont to do in his more practised exhibitions. The honourable and learned member has not disdained to call to his aid, in the course of his address, all the vulgar topics of ribald invective with which my right honourable friend has been assailed elsewhere; and in the spirit of these attacks has attributed to him feelings unknown to his heart, and sentiments utterly alien from his

nature. And why, I ask, has my right honourable friend been subjected to these attacks? Because, Sir, with an industry and intelligence never exceeded, and rarely equalled, he has devoted his daily labour and his nightly toil to the improvement of the commercial system of his country. Sir, when this attack was made, the House felt, as one man, the injustice done to my right honourable friend; and if, in addition to the conscious rectitude of his own mind, and to the gratifying acknowledgment by this House, of his splendid exertions, he wished for another gratification, he had it in the universal feeling of indignation at the attempt so wantonly made to lower him and his measures in the public opinion. And then, forsooth, came the assertion that nothing personal was meant. Nothing personal, Sir! Did we not hear mention made of hard-hearted metaphysics, and of the malignity of *the devil?* Nothing personal!—certainly nothing personal to *the devil*—who, by the way, and it is a curious coincidence, is, according to an old proverb, the patron saint of the city (Lincoln) which the honourable and learned gentleman represents. But could any one fail to understand that the fiend-like malignity, the coldness of heart, the apathy of feeling, that all these abstract qualities, which the learned gentleman had described as distinguishing *features* of those who indulged in abstract speculations, were intended by the learned gentleman to be

embodied in the person of my right honourable friend; qualities especially calculated to render a man contemptible in the performance of his public duties, and odious in the eyes of his fellow-citizens, for whose benefit those duties are discharged? These topics, Sir, are as vulgar as they are unjust. Why is it to be supposed that the application of philosophy—(for I will use that odious word)—why was it to be supposed that to apply the refinement of philosophy to the affairs of common life, indicates obduracy of feeling or obtuseness of sensibility? We must deal with the affairs of men on abstract principles, modified, however, of course according to times and circumstances. Is not the doctrine and the spirit which now animate those who persecute my right honourable friend, the same which, in former times, stirred up persecution against the best benefactors of mankind? Is it not the same doctrine and spirit which embittered the life of Turgot? Is it not a doctrine and a spirit such as this, which consigned Galileo to the dungeons of the Inquisition? Is it not a doctrine and a spirit, such as these, which have, at all times, been at work to stay public advancement, and to roll back the tide of civilization? A doctrine and a spirit actuating the little minds of men, who, incapable of reaching the heights from which alone extended views of human nature can be taken, console and revenge themselves

by calumniating and misrepresenting those who have toiled to those heights for the advantage of mankind.

Sir, I have not to learn that there is a faction in the country—I mean not a political faction—I should, perhaps, rather have said a sect, small in numbers and powerless in might, who think that all advances towards improvement are retrogradations towards Jacobinism. These persons seem to imagine that, under no possible circumstances can an honest man endeavour to keep his country upon a line with the progress of political knowledge, and to adapt its course to the varying circumstances of the world. Such an attempt is branded as an indication of mischievous intentions, as evidence of a design to sap the foundations of the greatness of the country.

Sir, I consider it to be the duty of a British statesman, in internal as well as external affairs, to hold a middle course between extremes; avoiding alike extravagances of despotism, or the licentiousness of unbridled freedom—reconciling power with liberty: not adopting hasty or ill-advised experiments, or pursuing any airy and unsubstantial theories; but not rejecting, nevertheless, the application of sound and wholesome knowledge to practical affairs, and pressing, with sobriety and caution, into the service of his country any generous and liberal principles, whose excess, indeed, may be dangerous, but whose foundation

is in truth. This, Sir, in my mind, is the true conduct of a British statesman; but they who resist indiscriminately all improvement as innovation, may find themselves compelled at last to submit to innovations although they are not improvements.

My right honourable friend has been actuated by the spirit which I have endeavoured to describe. Convinced in his own mind of the justice and expediency of the measure which he has proposed for the improvement of our commercial system, he has persuaded the House to legislate in that sense; and, as the fruits of that legislation, I anticipate increasing prosperity and growing strength to the country.

Two objections have been stated to the course which His Majesty's Ministers are pursuing under the guidance of my right honourable friend: we are charged with having abandoned the principles of Mr. Pitt, and of having borrowed a leaf from the book of Whig policy. If the latter accusation refers to the useful and honourable support which we have received on questions of commerce from some of those who are habitually our antagonists in politics, I have only to admit the fact, and to declare the satisfaction which I derive from it. God forbid, Sir, that I should withhold due praise from those who, forgetting political animosities and the vulgar divisions of party, have

concurred with us in attempting to do public good.

But if it is meant to say that the commercial policy which we recommend to the country is founded on the principles of Whiggism, history proves that proposition to be untrue: I mean neither praise nor blame of Whig or Tory, in adverting to matters which passed long before the political existence of the present generation; but, historically speaking, I must say, that freedom of commerce has, in former times, been the doctrine rather of Tories than of Whigs. If I look back, for instance, to the transactions between this country and France, the only commercial treaty which I can find, beside that which was signed by me and my right honourable friend, but the other day, since the peace of Utrecht, is the convention of 1786. With respect to the treaty, the House need not be afraid that I am now going to discuss the principles of the Treaty of Utrecht. —But, by whom was the Convention of 1786 proposed and supported? By Mr. Pitt. By whom was it opposed? By Mr. Fox. I will not go into the arguments which might be used on either side. I enter not into the question, who was right or wrong. I mention the circumstance only to show how easily facts are perverted for particular purposes of vituperation. It is an old adage, that when a man wishes to beat a dog he

has no difficulty in finding a stick; but the stick, in the present instance, has been unfortunately chosen.

Equally false are the grounds of the charge brought against us, of having deviated from the principles of our great master. Sir, I deny that we have departed from the general principles of Mr. Pitt. It is true, indeed, that no man, who has observed the signs of the times, can have failed to discover in the arguments of our oppo nents, upon this occasion, a secret wish to renew the Bank restriction; and it is upon that point, and with respect to measures leading in our apprehension to that point, that we are accused, and not unjustly, in differing from those who accuse us. We are charged with a deviation from the principles of Mr. Pitt, because we declared our determination not to renew an expedient which, though it was forced upon Mr. Pitt by the particular circumstances of the times, is one that ought not to be dragged into a precedent. It never surely can be quoted as a spontaneous act of deliberate policy; and it was an act, be it remembered, of which Mr. Pitt did not live to witness those consequences which effectually deter his successors from the repetition of it. But it is singular to remark how ready some people are to admire in a great man, the exception rather than the rule of his conduct. Such perverse worship is like the idolatry of barbarous nations, who can see the noon-day

splendour of the sun without emotion; but who, when he is in eclipse, come forward with hymns and cymbals to adore him. Thus, there are those who venerate Mr. Pitt less in the brightness of his meridian glory, than under his partial obscurations, and who gaze on him with the fondest admiration when he has accidentally ceased to shine.

My admiration "on this side only of idolatry" of that great man, is called forth by the glorious course which he ran, and for the illumination which he shed over his country. But I do not think it the duty of a most zealous worshipper to adopt even the accidental faults of the illustrious model whom we vainly endeavour to imitate. I do not think it a part of fealty to him to adopt, without necessity, measures which necessity alone forced upon him. Treading, with unequal pace, in his steps, I do not think it our duty to select, by preference, those footmarks in which, for a moment, and from the slipperiness of the times, he may have trodden awry.

If, Sir, I have said enough to satisfy the House, that with my whole soul I adopt, with my whole strength I will endeavour to maintain, the measures of my right honourable friend, I have said enough; and I will not detain them by going into the details of a question, of which he is himself a perfect master, and of which he has made the House equally master with himself. But I should

have been ashamed to let this debate go by without declaring that I will readily take my share of responsibility for his measure, leaving to my right honourable friend the full and undivided glory.

[The right honourable gentleman sat down amid loud and continued cheering.]

The House divided, when there appeared—

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END OF VOL. V.

SHACKELL AND BAYLIS, JOHNSON'S-COURT.